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BRITISH ELOQUENCE

WITH INTRODUCTIONS AND EXPLANATORY NOTES BY

JOHN ALDEN

Videtisne quantum munus sit oratoris historia?
—CICERO, *De Oratore*, ii., 15

VOLUME IV.

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PREFACE.

IN preparing this—the fourth volume of *Representative British Orations*—a work which, in its three-volume form, has met with a large acceptance from the public, the editor has been embarrassed by fulness rather than lack of material. Indeed, in its former shape, the book fairly justified its title: it was representative rather than exhaustive of the subject. From the rich field of possible material the editor has selected specimens of oratory diverse enough in style and occasion, but each, it is hoped, typical of the general trend of the period covered (1813–1898),—of the change from the passionate, partisan forensics of O'Connell to the calm emphasis of Lord Rosebery.

Helps to the study of this period have naturally been many; but the editor must not

fail to acknowledge his constant indebtedness to the brilliant and invaluable "History of Our Own Times" of Mr. Justin McCarthy, and in a lesser degree to Mr. Fyffe's "Modern Europe." To Charles Gorham Marrett, Esq., he wishes to record his personal obligations.

J. A.

PORTLAND, ME.
October, 1899.

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DANIEL O'CONNELL.

FROM the somewhat picturesque assemblage of Irish political agitators emerges the figure of one in many ways the most picturesque, and, in most, the greatest of them. The period (1775–1847) of O'Connell's activities discloses him as one of the generation that came in with Scott and Wordsworth—children of the overlapping centuries, whom shortly the French Revolution was to stir to many things strange to the world of 1775.

The facts of O'Connell's life arrange themselves concisely from his birth, August 6, 1775, from a good family of County Kerry; his French education at S. Omer and Douay; and his legal sojourn at the customary Lincoln's Inn; to his call to the Irish Bar (May 19, 1798), and the beginning of his identification with the Irish cause. From his speech in 1813

in defence of Magee,—the basis of this selection,—this identification became ever more complete. It was in 1823 that he founded the "Catholic Association." In 1828 he was elected to Parliament from County Clare, but was not allowed to take his seat. He stood again, was again elected; and, in 1830, just at the acme of his popularity, at last entered Parliament unchallenged. Now followed within and without the Commons the struggle for Irish liberties that is almost synonymous with the name O'Connell. The year 1843 marks the high tide of his system of agitation by mass-meetings—the "Monster-Meetings," so-called. This device of popular *propaganda* was O'Connell's own; and probably none have ever swayed more temperately than he the mighty forces of a Celtic audience, obedient to the incitations of impassioned oratory. For the most part in the open air and in the countryside O'Connell would draw from a radius of many miles a serious, sympathetic, and—strange to say—sober host of peasantry, in whom his voice



DANIEL O'CONNELL, M.P.

From a painting by Bernard Mulrenin, R.H.A., in the National Portrait Gallery.


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woke infallibly the sense of race and religion as things to be fought for, not with the obvious musket, but with orderly combination, moderate measures, and all that a tempered and single-minded zeal could do. The Irish people had long hailed him as their "Liberator"; he was the leader to whom they looked for Catholic Emancipation and the repeal of the forced union with Great Britain; and yet it is not the least tribute to O'Connell's powers that he was able to restrain a people laboring under acknowledged wrongs, and racially prone to insurrection, from any serious appeal to arms. The Government of that day was not moved by such considerations. The sequence of the "Monster-Meetings" was that O'Connell was arrested and tried on what must now appear a trivial charge of treason. He was even convicted; but the sentence failed to receive the approval of the House of Lords. Although clear of his difficulties, the man was broken, his superb powers gone; and like a true Catholic he had the wish to die at Rome. Before

he left England he appeared again in Parliament and tried to speak—his fine voice sunk to a husky whisper. The report in "Hansard's Parliamentary Debates" of the day's proceedings, in reference to this episode, is laconically significant; it runs—"Mr. O'Connell was understood to say * * *" On his journey, the "Liberator" died May 5, 1847, at Genoa, whence his body was returned. But in response to a rhetorical instinct that was medieval, Celtic, and yet, one feels, in this case not unjustifiable, his friends caused his heart to be embalmed and sent to Rome, where it rests in the eternal sanctuary of Saint Agatha.

The character of O'Connell challenges the biographer. In everything, perhaps, save his love for moderation, the man was Celtic; and every one does not care for the Celt. Surely he had the defects of the race: improvidence, unbounded invective, a speech too prodigal of epithet and ornament, the ultrasanguine temperament, and, more or less, the histrionic pose. Oppose to these that, as a Catholic,

under great provocations, he was tolerant; as an agitator, moderate in his programme; as a man, generous, high-spirited, and, after a convivial youth, notably temperate. Manifestly it is a character that lends itself to the old-style biography of balance. The easiest estimate of it is to say outright that O'Connell was pure demagogue; but if so, he was one of the greatest. He lived in a time when the conduct of political discussion knew no amenities. It was the day of slander, innuendo, high words for high words, and then—the duel. For the high words, see O'Connell's reported speeches almost anywhere; as for the duelling, he had killed his man at the outset of his prominence, and lived a life of repentance for it. No man, it appears as we read the diatribes of the day, has been more soundly abused in English: his replies seem almost to strain the language of abuse. Thus it is that to the modern taste his style so often strikes a false note, and seems a crude mixture of passion and prejudice unworthy of a fame so great.

Therefore O'Connell can least of all men be judged merely by his own words: the critic has always to remember the place and the moment, — the crowded, sympathetic court-room, the biased judge and hostile jury; or the myriad, upturned faces on a green hillside, mobile to each turning of the rhetorical screw. At such hours O'Connell must have yielded to his own art; the orator was subordinated to oratory, and often said ridiculous things.

It was all of a character with O'Connell's temperamental *intensity*. In the usual sense of the word, then, he cannot be called a demagogue—a mere puppet of the popular will. When the people and O'Connell had two minds about a question, it was not the "Liberator" who changed. Thus, for his opposition to Trades Unions, he was mobbed and hooted in the very streets of Dublin. Nor did he take the demonstration seriously; he knew his people too well for that. In a word, his appeal and influence were racial rather than parochial; he must be counted not as a great

politician, or even statesman, but as one of the "shepherds of the people,"—in Mr. Gladstone's phrase, an *ethnagogue*.

His genius found its play in a complete and overwhelming attack of any project: the maxim, μηδὲν ἄγαν, was never its game. As a young man, he forged early to the front of his profession; as he gained freely, so he was always in debt; and when, as one of the leading advocates of Ireland, the ambition of O'Connell looked farther and saw, as one must fancy, a higher art in agitation, he abandoned the certain prosperities of a legal career and left at his death barely £1000. He was a man of emotions, then, subject to moods and aberrations; best at *ex tempore* effort; poorly read—singular to state—even in Irish history; and if a great orator, surely an orator with something of the actor there. His name will be cherished among his people as one in whom their wrongs found an eloquent and imperative voice; the world will be disposed to regard him as a fine example of the partly ineffectual, partly

admirable type Reformer, whose particular programme, as yet but half realized, was, in Mr. Lecky's words,* "to open in Ireland a new era, with a separate and independent Parliament and perfect religious equality."

* "Leaders of Public Opinion in Ireland," N. Y., 1872, p. 226.

DANIEL O'CONNELL.

IN DEFENCE OF JOHN MAGEE: COURT OF KING'S BENCH, DUBLIN, JULY 27, 1813.

The speeches delivered at Dublin in the summer of 1813 by O'Connell as counsel for John Magee, then on trial for libel, have received the *exequatur* of Mr. Lecky, who considers them as the "Liberator's" greatest efforts at the Bar. Magee was the proprietor of the *Evening Post* newspaper, in which, on the occasion of the Duke of Richmond's departure from Ireland, there had appeared comments on his conduct as Lord-Lieutenant in which the Government, probably with some eagerness, had discovered a libellous tendency. For the *Evening Post* was notably pro-Catholic; what was more, its circulation and influence were large; and the Government from its own standpoint had good reasons either to repress the sheet or to change its political complexion. Hence the somewhat tenuous charge of libel laid against Magee.

The specimen here presented of O'Connell's eloquence was, after the trial, piously published by Magee, and later included in that badly printed volume, "Select Speeches of O'Connell," edited by his son, and published by J. Duffy, Dublin, 1865. With some difficulty a probable text has been constructed out of the impressions of worn types and obvious misprints then given to the world.

The speech itself will be found to be characteristic of O'Connell. The bitter fountains of invective, the *sæva*

indignatio of a just cause, keen and subtle irony, great facility of phrase and ornament, denunciation, defiance, and then a sudden modulation into an almost fawning fairness of tone—all are here. It is a plea not over-logical in arrangement; often desultory in the show passages; and, from the nature of the case, often legal in reference. But shorn, not only from considerations of space, of certain eccentricities and excursions, it is hoped that it will leave a definite picture of a great rhetorical orator, and of the two jewels of his style, —virile emphasis and impassioned intensity.

I consented to the adjournment yesterday, gentlemen of the jury, from that impulse of nature which compels us to postpone pain; it is, indeed, painful to me to address you; it is a cheerless, a hopeless task to address you —a task which would require all the animation and interest to be derived from the working of a mind fully fraught with the resentment and disgust created in mine yesterday, by that farrago of helpless absurdity with which Mr. Attorney-General regaled you.[1]

But I am now not sorry for the delay. Whatever I may have lost in vivacity, I trust I shall compensate for in discretion. That which yesterday excited my anger, now appears to me to be an object of pity; and that which then roused my indignation, now only moves to *contempt*. I can now address you with feelings

softened, and, I trust, subdued; and I do, from my soul, declare, that I now cherish no other sensations than those which enable me to bestow on the Attorney-General, and on his discourse, pure and unmixed compassion.

It was a discourse in which you could not discover either order, or method, or eloquence; it contained very little logic, and no poetry at all; violent and virulent, it was a confused and disjointed tissue of bigotry, amalgamated with congenial vulgarity. He accused my client of using Billingsgate, and he accused him of it in language suited exclusively for that meridian. He descended even to the calling of names: he called this young gentleman a "malefactor," a "Jacobin," and a "ruffian," gentlemen of the jury; he called him "abominable," and "seditious," and "revolutionary," and "infamous," and a "ruffian" again, gentlemen of the jury; he called him a "brothel keeper," a "pander," "a kind of bawd in breeches," and a "ruffian" a third time, gentlemen of the jury.

I cannot repress my astonishment, how Mr. Attorney-General could have *preserved* this dialect in its native purity; he has been now for nearly thirty years in the class of polished society; he has, for some years, mixed amongst

the highest orders in the state; he has had the honor to belong for thirty years to the first profession in the world—to the only profession, with the single exception, perhaps, of the military, to which a high-minded gentleman could condescend to belong—the Irish Bar. To that Bar, at which he has seen and heard a Burgh and a Duquery; at which he must have listened to a Burston, a Ponsonby, and a Curran; to a Bar which still contains a Plunket, a Ball, and, despite of politics, I will add, a Bushe. With this galaxy of glory flinging their light around him, how can he alone have remained in darkness? How has it happened, that the twilight murkiness of his soul, has not been illumined with a single ray shot from their lustre? Devoid of taste and of genius, how can he have had memory enough to preserve this original vulgarity? He is, indeed, an object of compassion, and, from my inmost soul, I bestow on him my forgiveness, and my bounteous pity.[2]

But not for him alone should compassion be felt. Recollect, that upon his advice—that with him, as the prime mover and instigator of those rash, and silly, and irritating measures of the last five years which have afflicted

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and distracted this long-suffering country, have originated—with him they have all originated. Is there not then compassion due to the millions whose destinies are made to depend upon his counsel? Is there no pity to those who, like me, must know that the liberties of the tenderest pledges of their affections, and of that which is dearer still, of their country, depend on this man's advice?

Yet, let not pity for us be unmixed; he has afforded the consolation of hope; his harangue has been heard; it will be reported—I trust faithfully reported; and if it be but read in England, we may venture to hope that there may remain just so much good sense in England as to induce the conviction of the folly and the danger of conducting the government of a brave and long-enduring people by the counsels of so tasteless and talentless an adviser.

See what an imitative animal man is! The sound of ruffian—ruffian—ruffian, had scarcely died on the Attorney-General's lips, when you find the word honored with all the permanency of print, in one of his pensioned and well-paid, but ill-read, newspapers. Here is the first line in the *Dublin Journal* of this day:—"The ruffian who writes for the *Freeman's Journal.*"

Here is an apt scholar—he profits well of the Attorney-General's tuition. The pupil is worthy of the master—the master is just suited to the pupil.

I now dismiss the style and measure of the Attorney-General's discourse, and I require your attention to its matter. That matter I must divide, although with him there was no division, into two unequal portions. The first, as it was by far the greater portion of his discourse, shall be that which was altogether inapplicable to the purposes of this prosecution. The second, and infinitely the smaller portion of his speech, is that which related to the subject matter of the indictment which you are to try. He has touched upon and disfigured a great variety of topics. I shall follow him at my good leisure through them. He has invited me to a wide field of discussion. I accept his challenge with alacrity and with pleasure.

This extraneous part of his discourse, which I mean first to discuss, was distinguished by two leading features. The first consisted of a dull and reproving sermon, with which he treated my colleagues and myself, for the manner in which we thought fit to conduct this defence. He talked of the melancholy exhibition of four

hours wasted, as he said, in frivolous debate, and he obscurely hinted at something like incorrectness of professional conduct. He has not ventured to speak out, but I will. I shall say nothing for myself; but for my colleagues—my inferiors in professional standing, but infinitely my superiors in every talent and in every acquirement—my colleagues, whom I boast as my friends, not in the routine language of the Bar, but in the sincerity of my esteem and affection; for my learned and upright colleagues, I treat the unfounded insinuation with the most contemptuous scorn!

All I shall expose is the utter inattention to the fact, which, in small things as in great, seems to mark the Attorney-General's career. He talks of four hours. Why, it was past one before the last of you were digged together by the Sheriff, and the Attorney-General rose to address you before three. How he could contrive to squeeze four hours into that interval, it is for him to explain; nor should I notice it, but that it is the particular prerogative of dulness to be accurate in the detail of minor facts, so that the Attorney-General is without an excuse when he departs from them, and when for four hours you have had not quite two.

Take this also with you, that we assert our uncontrollable right to employ them as we have done; and as to his advice, we neither respect, nor will we receive it; but we can afford cheerfully to pardon the vain presumption that made him offer us counsel.

For the rest, he may be assured that we will never imitate his example. We will never volunteer to mingle our politics, whatever they may be, with our forensic duties. I made this the rigid rule of my professional conduct; and if I shall appear to depart from this rule now, I bid you recollect that I am compelled to follow the Attorney-General into grounds which, if he had been wise, he would have avoided.

Yes; I am compelled to follow him into the discussion of his conduct towards the Catholics. He has poured out the full vial of his own praise on that conduct—praise in which, I can safely assure him, he has not a single unpaid rival. It is a topic upon which no unbribed man, except himself, dwells. I admit the disinterestedness with which he praises himself, and I do not envy him his delight, but he ought to know, if he sees or hears a word of that kind from any other man, that that man receives or expects compensation for his task,

and really deserves money for his labor and invention.

My lord, upon the Catholic subject, I commence with one assertion of the Attorney-General, which I trust I misunderstood. He talked, as I collected him, of the Catholics having imbibed principles of a seditious, treasonable, and revolutionary nature! He seemed to me, most distinctly, to charge us with treason! There is no relying on his words for his meaning—I know there is not. On a former occasion, I took down a repetition of this charge full seventeen times on my brief, and yet, afterwards, it turned out that he never intended to make any such charge; that he forgot he had ever used those words, and he disclaimed the idea they naturally convey. It is clear, therefore, that upon this subject he knows not what he says; and that these phrases are the mere flowers of his rhetoric, but quite innocent of any meaning!

Upon this account I pass him by, I go beyond him, and I content myself with proclaiming those charges, whosoever may make them, to be false and base calumnies! It is impossible to refute such charges in the language of dignity or temper. But if any man dares to

charge the Catholic body, or the Catholic Board, or any individuals of that Board, with sedition or treason, I do here, I shall always in this court, in the city, in the field, brand him as an infamous and profligate *liar!*

Pardon the phrase, but there is no other suitable to the occasion. But he is a profligate liar who so asserts, because he must know that the whole tenor of our conduct confutes the assertion. What is it we seek?

Chief Justice.—What, Mr. O'Connell, can this have to do with the question which the jury are to try?

Mr. O'Connell.—*You heard the Attorney-General traduce and calumniate us—you heard him with patience and with temper—listen now to our vindication!*

I ask, what is it we seek? What is it we incessantly and, if you please, clamorously petition for? Why, to be allowed to partake of the advantages of the constitution. We are earnestly anxious to share the benefits of the constitution. We look to the participation in the constitution as our greatest political blessing. If we desired to destroy it, would we seek to share it? If we wished to overturn it, would we exert ourselves through calumny,

and in peril, to obtain a portion of its blessings? Strange, inconsistent voice of calumny! You charge us with intemperance in our exertions for a participation in the constitution, and you charge us at the same time, almost in the same sentence, with a design to overturn that constitution. The dupes of your hypocrisy may believe you; but, base calumniators, you do not, you cannot, believe yourselves!

The Attorney-General—"*this wisest and best of men*," as his colleague, the Solicitor-General, called him in his presence—the Attorney-General next boasted of his triumph over Pope and Popery—"I put down the Catholic Committee; I will put down, at my good time, the Catholic Board." This boast is partly historical, partly prophetical. He was wrong in his history—he is quite mistaken in his prophecy. He did not put down the Catholic Committee—we gave up that name the moment that it was confessedly avowed that this sapient Attorney-General's polemico-legal controversy dwindled into a mere dispute about words. He told us that in the English language "pretence" means "purpose"; had it been French and not English, we might have been inclined to respect his judgment, but in point of English we venture

to differ with him; we told him "purpose," good Mr. Attorney-General, is just the reverse of "pretence." The quarrel grew warm and animated; we appealed to common sense, to the grammar, and to the dictionary; common sense, grammar, and the dictionary decided in our favor. He brought his appeal to this court, your lordship, and your brethren unanimously decided that, in point of law—mark, mark, gentlemen of the jury, the sublime wisdom of law—the court decided that, in point of law, "*pretence*" *does mean* "*purpose*"!

Fully contented with this very reasonable and more satisfactory decision, there still remained a matter of fact between us: the Attorney-General charged us with being representatives; we denied all representation. He had two witnesses to prove the fact for him; they swore to it one way at one trial, and directly the other way at the next. An honorable, intelligent, and enlightened jury disbelieved those witnesses at the first trial—matters were better managed at the second trial—the jury were better *arranged*. I speak delicately, gentlemen; the jury were better arranged, as the witnesses were better informed; and, accordingly, there was one verdict for us on

the representative question, and one verdict against us.

You know the jury that found for us; you know that it was Sir Charles Saxton's Castle-list jury that found against us. Well, the consequence was that, thus encouraged, Mr. Attorney-General proceeded to force. We abhorred tumult, and were weary of litigation; we new-modelled the agents and managers of the Catholic petitions; we formed an assembly, respecting which there could not be a shadow of pretext for calling it a representative body. We disclaimed representation; and we rendered it impossible, even for the virulence of the most malignant law-officer living, to employ the Convention Act against us—that, even upon the Attorney-General's own construction, requires representation as an ingredient in the offence it prohibits. He cannot possibly call us representatives; we are the individual servants of the public, whose business we do gratuitously but zealously. Our cause has advanced even from his persecution—and this he calls putting down the Catholic Committee!*

Next, he glorifies himself in his prospect of putting down the Catholic Board. For the

present, he, indeed, tells you, that much as he hates the Papists, it is unnecessary for him to crush our Board, because we injure our own cause so much. He says that we are very criminal, but we are so foolish that our folly serves as a compensation for our wickedness. We are very wicked and very mischievous, but then we are such foolish little criminals, that we deserve his indulgence. Thus he tolerates offences, because of their being committed sillily; and, indeed, we give him so much pleasure and gratification by the injury we do our own cause that he is spared the superfluous labor of impeding our petition by his prosecutions, fines, or imprisonments.

He expresses the very idea of the Roman Domitian, of whom some of you possibly may have read; he amused his days in torturing men—his evenings he relaxed in the humble cruelty of impaling flies. A courtier caught a fly for his imperial amusement—"Fool," said the emperor, "fool, to give thyself the trouble of torturing an animal that was about to burn itself to death in the candle!" Such is the spirit of the Attorney-General's commentary on our Board. Oh, rare Attorney-General! —Oh, best and wisest of men!!!

But, to be serious. Let me pledge myself to you that he imposes on you, when he threatens to crush the Catholic Board. Illegal violence may do it—force may effectuate it; but your hopes and his will be defeated, if he attempts it by any course of law. I am, if not a lawyer, at least a barrister. On this subject I ought to know something, and I do not hesitate to contradict the Attorney-General on this point, and to proclaim to you and to the country that the Catholic Board is perfectly a legal assembly—that it not only does not violate the law, but that it is entitled to the protection of the law, and in the very proudest tone of firmness, I hurl *defiance* at the Attorney-General!

I defy him to allege a law or a statute, or even a proclamation that is violated by the Catholic Board. No, gentlemen, no; his religious prejudices—if the absence of every charity can be called anything religious—his religious prejudices really obscure his reason, his bigoted intolerance has totally darkened his understanding, and he mistakes the plainest facts and misquotes the clearest law, in the ardor and vehemence of his rancor. I disdain his moderation—I scorn his forbearance—I tell him he knows not the law if he thinks as he says; and

if he thinks so, I tell him to his beard, that he is not *honest* in not having sooner prosecuted us, and I challenge him to that prosecution.

It is strange—it is melancholy, to reflect on the miserable and mistaken pride that must inflate him to talk as he does of the Catholic Board. The Catholic Board is composed of men—I include not myself—of course, I always except myself—every way his superiors, in birth, in fortune, in talents, in rank. What is he to talk of the Catholic Board lightly? At their head is the Earl of Fingal, a nobleman whose exalted rank stoops beneath the superior station of his virtues—whom even the venal minions of power must respect. We are engaged, patiently and perseveringly engaged, in a struggle through the open channels of the constitution for our liberties. The son of the ancient earl whom I have mentioned cannot in his native land attain any honorable distinction of the state, and yet Mr. Attorney-General knows that they are open to every son of every bigoted and intemperate stranger that may settle amongst us.

But this system cannot last; he may insult, he may calumniate, he may prosecute; but the Catholic cause is on its *majestic march*; its

progress is rapid and obvious; it is cheered in its advance, and aided by all that is dignified and dispassionate—by everything that is patriotic—by all the honor, all the integrity, of the empire; and its success is just as certain as the return of to-morrow's sun, and the close of to-morrow's eve.

"*We will—we must soon be emancipated*," in despite of the Attorney-General, aided as he is by his august allies, the aldermen of Skinner's-alley. In despite of the Attorney-General and the aldermen of Skinner's-alley, our emancipation is certain, and not distant.

I have no difficulty in perceiving the motive of the Attorney-General in devoting so much of his medley oration to the Catholic question, and to the expression of his bitter hatred to us, and of his determination to ruin our hopes. It had, to be sure, no connection with the cause, but it had a direct and natural connection with you. He has been, all his life, reckoned a man of consummate cunning and dexterity; and whilst one wonders that he has so much exposed himself upon those prosecutions, and accounts for it by the proverbial blindness of religious zeal, it is still easy to discover much of his native cunning and dexterity. Gentlemen,

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he thinks he knows his men—he knows you; many of you signed the no-Popery petition; he heard one of you boast of it; he knows you would not have been summoned on this jury if you had entertained liberal sentiments; he knows all this, and therefore it is that he, with the artifice and cunning of an experienced *nisi prius* advocate, endeavors to win your confidence and command your affections by the display of his congenial illiberality and bigotry.

You are all, of course, Protestants; see what a compliment he pays to your religion and his own, when he endeavors thus to procure a verdict on your oaths; when he endeavors to seduce you to what, if you were so seduced, would be perjury, by indulging your prejudices and flattering you by the coincidence of his sentiments and wishes. Will he succeed, gentlemen? Will you allow him to draw you into a perjury out of zeal for your religion? And will you violate the pledge you have given to your God to do justice, in order to gratify your anxiety for the ascendancy of what you believe to be his church? Gentlemen, reflect on the strange and monstrous inconsistency of this conduct, and do not commit, if you can

avoid it, the pious crime of violating your solemn oaths, in aid of the pious designs of the Attorney-General against Popery.

Oh, gentlemen! it is not in any lightness of heart I thus address you—it is rather in bitterness and sorrow; you did not expect flattery from me, and my client was little disposed to offer it to you; besides, of what avail would it be to flatter, if you came here pre-determined, and it is too plain that you are not selected for this jury from any notion of your impartiality?

But when I talk to you of your oaths and of your religion, I would full fain I could impress you with a respect for both the one and the other. I, who do not flatter, tell you, that though I do not join with you in belief, I have the most unfeigned respect for the form of Christian faith which you profess. Would that its substance, not its forms and temporal advantages, were deeply impressed on your minds! Then should I not address you in the cheerless and hopeless despondency that crowds on my mind, and drives me to taunt you with the air of ridicule I do. Gentlemen, I sincerely respect and venerate your religion, *but* I despise and I now apprehend your prejudices, in the same proportion as the Attorney-General has cul-

tivated them. In plain truth, every religion is good—every religion is true to him who, in his due caution and conscience, believes it. There is but one bad religion, that of a man who professes a faith which he does not believe; but the good religion may be, and often is, corrupted by the wretched and wicked prejudices which admit a difference of opinion as a cause of hatred.

The Attorney-General, defective in argument —weak in his cause, has artfully roused your prejudices at his side. I have, on the contrary, met your prejudices boldly. If your verdict shall be for me, you will be certain that it has been produced by nothing but unwilling conviction resulting from sober and satisfied judgment. If your verdict be bestowed upon the artifices of the Attorney-General, you may happen to be right; but do you not see the danger of its being produced by an admixture of passion and prejudice with your reason? How difficult is it to separate prejudice from reason, when they run in the same direction! If you be men of conscience, then I call on you to listen to me, that your consciences may be safe, and your reason alone be the guardian of your oath, and the sole monitor of your decision.

I now bring you to the immediate subject of

this indictment. Mr. Magee is charged with publishing a libel in his paper called the *Dublin Evening Post*. His lordship has decided that there is legal proof of the publication, and I would be sorry you thought of acquitting Mr. Magee under the pretence of not believing that evidence. I will not, therefore, trouble you on that part of the case; I will tell you, gentlemen, presently, what this publication is; but suffer me first to inform you what it is not—for this I consider to be very important to the strong, and in truth, triumphant defence which my client has to this indictment.

Gentlemen, this is *not* a libel on Charles Lennox, Duke of Richmond, in his private or individual capacity. It does not interfere with the privacy of his domestic life. It is free from any reproach upon his domestic habits or conduct; it is perfectly pure from any attempt to traduce his personal honor or integrity. Towards the man, there is not the least taint of malignity; nay, the thing is still stronger. Of Charles, Duke of Richmond, personally, and as disconnected with the administration of public affairs, it speaks in terms of civility and even respect.[4] It contains this passage which I read from the indictment:

"Had he remained what he first came over, or what he afterwards professed to be, he would have retained his reputation for ***honest open hostility***, defending his political principles with firmness, perhaps with warmth, but without rancor; the supporter and not the tool of an administration; a mistaken politician, perhaps, but an honorable man and a respectable soldier."

The Duke is here in this libel, my lords,—in this libel, gentlemen of the jury, the Duke of Richmond is called an honorable man and a respectable soldier! Could more flattering expressions be invented? Has the most mercenary Press that ever yet existed, the mercenary Press of this metropolis, contained, in return for all the money it has received, any praise which ought to be so pleasing—"an honorable man and a respectable soldier"? I do, therefore, beg of you, gentlemen, as you value your honesty, to carry with you in your distinct recollection this fact, that whatever of evil this publication may contain, it does not involve any reproach against the Duke of Richmond in any other than in his public and official character.

I have, gentlemen, next to require you to

take notice that this publication is not indicted as a seditious libel. The word seditious is, indeed, used as a kind of make-weight in the introductory part of the indictment. But mark, and recollect, that this is not an indictment for sedition. It is not, then, for private slander, nor for any offence against the constitution, that Mr. Magee now stands arraigned before you.

In the third place, gentlemen, there is this singular feature in this case, namely, that this libel, as the prosecutor calls it, is not charged in this indictment to be "false."

The indictment has this singular difference from any other I have ever seen, that the assertions of the publications are not even stated to be false.

They have not had the courtesy to you, to state upon record that these charges, such as they are, were contrary to the truth. This I believe to be the first instance in which the allegation of falsehood has been omitted. To what is this omission to be attributed? Is it that an experiment is to be made, how much further the doctrine of the criminality of truth can be drawn? Does the prosecutor wish to make another bad precedent; or is it in

contempt of any distinction between truth and falsehood, that this charge is thus framed; or does he fear that you would scruple to convict, if the indictment charged that to be false which you all know to be true?

However that may be, I will have you to remember that you are now to pronounce upon a publication, *the truth of which is not controverted.* Attend to the case, and you will find you are not to try Mr. Magee for sedition which may endanger the state, or for private defamation which may press sorely upon the heart, and blast the prospects of a private family; and that the subject matter for your decision is not characterized as false, or described as untrue.

Such are the circumstances which accompany this publication, on which you are to pronounce a verdict of guilt or innocence. The case is with you; it belongs to you exclusively to decide it. His lordship may advise, but he cannot control your decision, and it belongs to you alone to say whether or not, upon the entire matter, you conceive it to be evidence of guilt, and deserving of punishment. The statute law gives or recognizes this your right, and, therefore, imposes this on you as your duty. The

legislative has precluded any lawyer from being able to dictate to you. The Solicitor-General cannot now venture to promulgate the slavish doctrine which he addressed to Doctor Sheridan's jury, when he told them, "not to *presume* to differ from the Court in matter of law." The law and the fact are here the same, namely, the guilty or innocent design of the publication.

Indeed, in any criminal case, the doctrine of the Solicitor-General is intolerable. I enter my solemn protest against it. The verdict which is required from a jury in any criminal case has nothing special in it—it is not the finding of the fact in the affirmative or negative—it is not, as in Scotland, that the charge is proved or not proved. No; the jury is to say whether the prisoner be guilty or not; and could a juror find a true verdict, who declared a man guilty upon evidence of some act, perhaps praiseworthy, but clearly void of evil design or bad consequences?

I do, therefore, deny the doctrine of the learned gentleman; it is not constitutional, and it would be frightful if it were. *No judge can dictate to a jury*—no jury ought to allow itself to be dictated to.

If the Solicitor-General's doctrine were established, see what oppressive consequences might result. At some future period, some man may attain the first place on the bench, by the reputation which is so easily acquired by a certain degree of churchwardening piety, added to a great gravity, and maidenly decorum of manners. Such a man *may* reach the bench—for I am putting a mere imaginary case—*he* may be a man without *passions*, and *therefore* without *vices;* he may, my lord, be a man superfluously *rich*, and, therefore, not to be *bribed* with *money*, but rendered *partial* by his *bigotry*, and *corrupted* by his *prejudices;* such a man, *inflated* by *flattery*, and *bloated* in his dignity, may hereafter use that character for *sanctity* which has served to promote him, as a sword to hew down the struggling liberties of his country; such a judge may interfere before trial! and at the trial be a *partisan!*

Gentlemen, should an honest jury—could an honest jury (if an honest jury were again found) listen with safety to the dictates of such a judge? I repeat it, therefore, that the Solicitor-General is mistaken—that the law does not, and cannot, require such a submission as he preached; and at all events, gentlemen, it

cannot be controverted, that in the present instance, that of an alleged libel, the decision of all law and fact belongs to *you*.

I am then warranted in directing to you some *observations* on the *law of libel*, and in doing so, I disclaim any apology for the consumption of the time necessary for my purpose. Gentlemen, my intention is to lay before you a short and rapid view of the causes which have introduced into courts the monstrous assertion—*that truth is crime!*

It is to be deeply lamented that the art of printing was unknown at the earlier periods of our history. If at the time the barons wrung the simple but sublime charter of liberty from a timid, perfidious sovereign, from a violator of his word, from a man covered with disgrace, and sunk in infamy—if at the time when that charter was confirmed and renewed, the Press had existed, it would, I think, have been the first care of those friends of freedom to have established a principle of liberty for it to rest upon which might resist every future assault. Their simple and unsophisticated understandings could never be brought to comprehend the legal subleties by which it is now argued that falsehood is useful and innocent,

and truth, the emanation and the type of heaven, a crime. They would have cut with their swords the cobweb links of sophistry in which truth is entangled; and they would have rendered it impossible to re-establish this injustice without violating the principle of the constitution.

But in the ignorance of the blessing of a *free Press*, they could not have provided for its security. There remains, however, an expression of their sentiments on our statute books. The ancient parliament did pass a law against the spreaders of *false* rumors. This law proves two things,—first, that before this statute, it was not considered a crime in law to spread even a false rumor, otherwise the statute would have been unnecessary; and, secondly, that in their notion of crime, falsehood was a necessary ingredient. But here I have to remark upon and regret the strange propensity of judges, to construe the law in favor of tyranny, and against liberty; for servile and corrupt judges soon decided that upon the construction of this law it was immaterial whether the rumors were true or false, and that a law made to punish false rumors, *was equally applicable to the true.*

This, gentlemen, is called *construction;* it is just that which in more recent times, and of inevitable consequence from purer motives, has converted "*pretence*" into "*purpose.*"

When the art of printing was invented, its value to every sufferer, its terror to every oppressor, was soon obvious, and means were speedily adopted to prevent its salutary effects. The Star-Chamber—the odious Star-Chamber—was either created, or, at least, enlarged and brought into activity. Its proceedings were arbitrary, its decisions were oppressive, and injustice and tyranny were formed into a system. To describe it to you in one sentence, it *was a prematurely packed jury.* Perhaps that description does not shock you much. Let me report one of its decisions, which will, I think, make its horrors more sensible to you—it is a ludicrous as well as a melancholy instance.

A tradesman—a ruffian, I presume, he was styled—in an altercation with a nobleman's servant, called the swan which was worn on the servant's arm for a badge, a goose. For this offence—the calling a nobleman's badge of a swan, a goose—he was brought before the Star-Chamber; he was, of course, convicted; he lost, as I recollect, one of his ears on the pillory,

was sentenced to two years' imprisonment, and a fine of £500; and all this to teach him to *distinguish swans from geese.*

I now ask you, to what is it you tradesmen and merchants are indebted for the safety and respect you can enjoy in society? What is it which has rescued you from the slavery in which persons who are engaged in trade were held by the iron barons of former days? I will tell you; it is the light, the reason, and the liberty which have been created, and will, in despite of every opposition, be perpetuated by the exertion of the Press.

Gentlemen, the Star-Chamber was particularly vigilant over the infant struggles of the Press. A code of laws became necessary to govern the new enemy to prejudice and oppression—the Press. The Star-Chamber adopted, for this purpose, the civil law, as it is called—the law of Rome—not the law at the periods of her liberty and her glory, but the law which was promulgated when she fell into slavery and disgrace, and recognized this principle, that the will of the prince was the rule of the law. The civil law was adopted by the Star-Chamber as its guide in proceedings against, and in punishing libellers; but, unfortunately, only part of it

was adopted, and that, of course, was the part least favorable to freedom. So much of the civil law as assisted to discover the concealed libeller, and to punish him when discovered, was carefully selected ; but the civil law allowed truth to be a defence, and that part was carefully rejected.

The Star-Chamber was soon after abolished. It was suppressed by the hatred and vengeance of an outraged people, and it has since, and until our days, lived only in the recollection of abhorrence and contempt. But we have fallen upon bad days and evil times; and in our days we have seen a lawyer, long of the prostrate and degraded Bar of England, presume to suggest an high eulogium on the Star-Chamber, and regret its downfall; and he has done this in a book dedicated, by permission, to Lord Ellenborough. This is, perhaps, an ominous circumstance; and as Star-Chamber punishments have been revived—as two years of imprisonment have become familiar—I know not how soon the useless lumber of even well-selected juries may be abolished, and a new Star-Chamber created.

From the Star-Chamber, gentlemen, the prevention and punishment of libels descended

to the courts of common law, and with the power they seem to have inherited much of the spirit of that tribunal. Servility at the bar, and profligacy on the bench, have not been wanting to aid every construction unfavorable to freedom, and at length it is taken as granted and as clear law that truth or falsehood are quite immaterial circumstances, constituting no part of either guilt or innocence.

I would wish to examine this revolting doctrine, and, in doing so, I am proud to tell you that it has no other foundation than in the oft-repeated assertions of lawyers and judges. Its authority depends on what are technically called the *dicta* of the judges and writers, and not upon solemn or regular adjudications on the point. One servile lawyer has repeated this doctrine, from time to time, after another —and one overbearing judge has re-echoed the assertion of a time-serving predecessor; and the public have, at length, submitted.

I do, therefore, feel not only gratified in having the occasion, but bound to express my opinion upon the real law of this subject. I know that opinion is but of little weight. I have no professional rank, or station, or talents to give it importance, but it is an honest and

conscientious opinion, and it is this—that in the discussion of *public subjects*, and of the administration of *public men*, *truth* is a duty and not *a crime*.

You can, at least, understand *my* description of the liberty of the Press. That of the Attorney-General is as unintelligible as contradictory. He tells you, in a very odd and quaint phrase, that the liberty of the Press consists in there being no previous restraint upon the tongue or the pen. How any *previous* restraint could be imposed on the tongue it is for this wisest of men to tell you, unless, indeed, he resorts to Doctor Lad's prescription with respect to the toothache eradication. Neither can the absence of previous restraint constitute a free Press, unless, indeed, it shall be distinctly ascertained, and clearly defined, what shall be subsequently called a crime. If the crime of libel be undefined, or uncertain, or capricious, then, instead of the absence of restraint before publication being an advantage, it is an injury; instead of its being a blessing, it is a curse—it is nothing more than a pitfall and snare for the unwary. This liberty of the Press is only an opportunity and a temptation offered by the law to the commission of crime—it is a trap

laid to catch men for punishment—it is not the liberty of discussing truth or discountenancing oppression, but a mode of rearing up victims for prosecution, and of seducing men into imprisonment.

Yet, can any gentleman concerned for the Crown give me a definition of the crime of libel? Is it not uncertain and undefined; and, in truth, is it not, at this moment, quite subject to the caprice and whim of the judge and of the jury? Is the Attorney-General—is the Solicitor-General—disposed to say otherwise? If he do, he must contradict his own doctrine, and adopt mine.

But no, gentlemen, they must leave you in uncertainty and doubt, and ask you to give a verdict, on your oath, without furnishing you with any rational materials to judge whether you be right or wrong. Indeed, to such a wild extent of caprice has Lord Ellenborough carried the doctrine of crime in libel, that he appears to have gravely ruled, that it was a crime to call one lord "a stout-built, special pleader," although, in point of fact, that lord was stout-built, and had been very many years a special pleader. And that it was a crime to call another lord "a sheep-feeder from Cambridgeshire,"

although that lord was right glad to have a few sheep in that county. These are the extravagant vagaries of the Crown lawyers and prerogative judges; you will find it impossible to discover any rational rule for your conduct, and can never rest upon any satisfactory view of the subject, unless you are pleased to adopt my description. Reason and justice equally recognize it, and, believe me, that genuine law is much more closely connected with justice and reason than some persons will avow.

Gentlemen, you are now apprised of the nature of the alleged libel; it is a discussion upon the administration of public men. I have also submitted to you my view of the law applicable to such a publication; we are, therefore, prepared to go into the consideration of every sentence in the newspaper in question.

But before I do so, just allow me to point your attention to the motives of this young gentleman. The Attorney-General has threatened him with fine and a dungeon; he has told Mr. Magee that he should suffer in his purse and in his person. Mr. Magee knew his danger well. Mr. Magee, before he published this paper, was quite apprised that he ran the risk of fine and of imprisonment. He knew also

that if he changed his tone—that if he became merely neutral, but especially if he went over to the other side and praised the Duke of Richmond—if he had sufficient gravity to talk, without a smile, of the sorrow of the people of Ireland at his Grace's departure—if he had a visage sufficiently lugubrious to say so without laughing, to cry out "mournfully, oh! mournfully!" for the departure of the Duke of Richmond—if, at a period when the people of Ireland, from Magherafelt to Dingledecouch, are rejoicing at that departure, Mr. Magee could put on a solemn countenance and pick up a grave and narcotic accent, and have the resolution to assert the sorrow of the people for losing so sweet and civil a Lord Lieutenant—why, in that case, gentlemen, you know the consequences. They are obvious. He might libel certain classes of his Majesty's subjects with impunity; he would get abundance of money, a place, and a pension—you know he would. The proclamations would be inserted in his paper. The wide-street advertisements, the ordnance, the barrack-board notices, and the advertisements of all the other public boards and offices—you can scarcely calculate how much money he sacrifices to his principles. I



am greatly within bounds when I say at least £5000 per annum, of the public money, would reach him if he was to alter his tone, and abandon his opinions.

Has he instructed me to boast of the sacrifices he thus makes? No, gentlemen, no, no; he deems it no sacrifice because he desires no share in the public plunder; but I introduce this topic to demonstrate to you the purity of his intentions. He cannot be actuated, in the part he takes, by mean or mercenary motives; it is not the base lucre of gain that leads him astray. If he be mistaken, he is, at least, disinterested and sincere. You may dislike his political opinions, but you cannot avoid respecting the independence of his principles.

Behold, now, the publication which this man of pure principles is called to answer for as a libel. It commences thus:—

"DUKE OF RICHMOND.

"As the Duke of Richmond will shortly retire from the government of Ireland, it has been deemed necessary to take such a review of his administration as may at least warn his successor from pursuing the errors of his Grace's conduct.

"The review shall contain many anecdotes of the Irish court which were never published, and which were so secret, that his Grace will not fail to be surprised at the sight of them in a newspaper."

In this paragraph there is nothing libellous; it talks of the errors, indeed, of his Grace's administration; but I do not think the Attorney-General will venture to suggest that the gentle expression of "errors" is a libel.

To err, gentlemen, is human: and his Grace is admitted, by the Attorney-General, to be but a man; I shall waste none of your time in proving that we may, without offence, treat of his "errors." But this is not even the errors of the man, but of his administration; it was not infallible, I humbly presume.

I call your particular attention to the third paragraph; it runs thus:—

"If the administration of the Duke of Richmond had been conducted with more than ordinary talent, its errors might in some degree have been atoned for by its ability, and the people of Ireland though they might have much to regret, yet would have something to admire; but truly after the gravest consideration, they must find themselves at a loss to

discover any striking feature in his Grace's administration, that makes it superior to the worst of his predecessors."

The Attorney-General dwelt much upon this paragraph, gentlemen, and the importance which he attached to it furnishes a strong illustration of his own consciousness of the weakness of his case. What is the meaning of this paragraph? I appeal to you whether it be more than this: that there has been nothing admirable in this administration; that there has not been much ability displayed by it. So far, gentlemen, there is, indeed, no flattery, but still less of libel, unless you are prepared to say that to withhold praise from any administration deserves punishment.

Is it an indictable offence not to perceive its occult talents? Why, if it be, find my client guilty of not being a sycophant and a flatterer, and send him to prison for two years, to gratify the Attorney-General, who tells you that the Duke of Richmond is the *best* chief governor Ireland ever saw.

But the mischief, I am told, lies in the art of the sentence. Why, all that it says is, that it is difficult to discover the striking features that distinguish this from bad administrations. It

does not, gentlemen, assert that no such striking features exist, much less does it assert that no features of that kind exist, or that such features, although not striking, are not easily discernible. So that, really, you are here again required to convict a man for not flattering. He thinks an administration untalented and silly; that is no crime; he says it has not been marked with talent or ability—that it has no striking features; all this may be mistaken and false, yet there is nothing in it that resembles a crime.

And, gentlemen, *if it be true*—if this *be* a foolish administration, can it be an offence to say so? If it has had no striking features to distinguish it from bad administrations, can it be criminal to say so? Are you prepared to say that not one word of truth can be told under no less a penalty than years of a dungeon and heavy fines?

Recollect, that the Attorney-General told you that the Press was the protection of the people against the government. Good Heaven! gentlemen, how can it protect the people against the government, if it be a crime to say of that government that it has committed errors, displays little talent, and has no striking features?

Did the prosecutor mock you, when he talked of the protection the Press afforded to the people? If he did not insult you by the admission of that upon which he will not allow you to act, let me ask, against what is the Press to protect the people? When do the people want protection? When the government is engaged in delinquencies, oppression, and crimes. It is against these that the people want the protection of the Press. Now, I put it to your plain sense, whether the Press can afford such protection, if it be punished for treating of these crimes.

Still more, can a shadow of protection be given by a Press that is not permitted to mention the errors, the talents, and the striking features of an administration? Here is a watchman admitted by the Attorney-General to be at his post to warn the people of their danger, and the first thing that is done to this watchman is to knock him down and bring him to a dungeon, for announcing the danger he is bound to disclose. I agree with the Attorney-General, the Press is a protection, but it is not in its silence or in its voice of flattery. It can protect only by speaking out when there is danger, or error, or want of ability. If the

harshness of this tone be complained of, I ask, what is it the Attorney-General would have? Does he wish that this protection should speak so as not to be understood; or, I again repeat it, does he mean to delude us with the name and the mockery of protection? Upon this ground, I defy you to find a verdict for the prosecutor, without declaring that he has been guilty of an attempt to deceive when he talked of the protection of the Press against errors, ignorance, and incapacity, which it is not to dare even to name. Gentlemen, upon this third paragraph, I am entitled to your verdict, upon the Attorney-General's own admission.

He, indeed, passed on to the next sentence with an air of triumph, with the apparent certainty of its producing a conviction; I meet him upon it—I read it boldly—I will discuss it with you manfully—it is this:—

"They insulted, they oppressed, they murdered, and they deceived."

The Attorney-General told us, rather ludicrously, that they, meaning the Duke's predecessors, included, of course, himself. How a man could be included amongst his predecessors, it would be difficult to discover. It

seems to be that mode of expression which would indicate that the Attorney-General, notwithstanding his foreign descent, has imbibed some of the language of the native Irish. But our blunders arise not like this, from a confusion of idea; they are generally caused by too great condensation of thought; they are, indeed, frequently of the head, but never—never of the heart. Would I could say so much for the Attorney-General; his blunder is not to be attributed to his cool and cautious head; it sprung, I much fear, from the misguided bitterness of the bigotry of his heart.

Well, gentlemen, this sentence does, in broad and distinct terms, charge the predecessors of the Duke, but not the Duke himself, with insult, oppression, murder, and deceit. But it is history, gentlemen: are you prepared to silence the voice of history? Are you disposed to suppress the recital of facts—the story of the events of former days? Is the historian, and the publisher of history, to be exposed to indictment and punishment?

Let me read for you two passages from Doctor Leland's "History of Ireland." I choose a remote period, to avoid shocking your prejudices by the recital of the more modern crimes

of the faction to which most of you belong. Attend to this passage, gentlemen.

"Anno 1574.—A solemn peace and concord was made between the Earl of Essex and Felim O'Nial. However, at a feast, wherein the Earl entertained that chieftain, and at the end of their good cheer, O'Nial, with his wife, were seized; their friends, who attended, were put to the sword before their faces. Felim, together with his wife and brother, were conveyed to Dublin, where they were *cut up in quarters.*"

How would you have this fact described? In what ladylike terms is the future historian to mention this savage and brutal massacre? Yet Essex was an English nobleman—a predecessor of his Grace; he was accomplished, gallant, and gay; the envied paramour of the virgin queen; and, if he afterwards fell on the scaffold, one of the race of the ancient Irish may be permitted to indulge the fond superstition that would avenge the royal blood of the O'Nial and of his consort on their perfidious English murderer.

But my soul fills with bitterness, and I will read of no more Irish murders. I turn, however, to another page, and I will introduce to your notice another predecessor of his Grace

the Duke of Richmond. It is Grey, who, after the recall of Essex, commanded the English forces in Munster. The fort of Smerwick, in Kerry, surrendered to Grey at discretion. It contained some Irish troops, and more than 700 Spaniards. The historian shall tell you the rest :—

"That mercy for which they sued was rigidly denied them. Wingfield was commissioned to disarm them, and when this service was performed, an English company was sent into the fort.

"The Irish rebels found they were reserved for execution by martial law.

"The Italian general and some officers were made prisoners of war: but the garrison *was butchered in cold blood;* nor is it without pain that we find a service so horrid and detestable committed to Sir Walter Raleigh."

"The garrison was butchered in cold blood," says the historian. Furnish us, Mr. Attorney-General, with gentle accents and sweet words to speak of this savage atrocity; or will you indict the author? Alas! he is dead, full of years and respect—as faithful an historian as the prejudices of his day would allow, and a beneficed clergyman of your church.

Gentlemen of the jury, what is the mild language of this paper compared with the indignant language of history? Raleigh—the ill-starred Raleigh—fell a victim to a tyrant master, a corrupt or overawed jury, and a virulent Attorney-General; he was baited at the bar with language more scurrilous and more foul than that you heard yesterday poured upon my client. Yet, what atonement to civilization could his death afford for the horrors I have mentioned?

Decide, now, gentlemen, between those libels —between that defamer's history and my client. He calls those predecessors of his Grace, murderers. History has left the living records of their crimes, from the O'Nial, treacherously slaughtered, to the cruel, cold butchery of the defenceless prisoners. Until I shall see the publishers of Leland and of Hume brought to your bar, I defy you to convict my client.

To show you that my client has treated these predecessors of his Grace with great lenity, I will introduce to your notice one, and only one, more of them; and he, too, fell on the scaffold—the unfortunate Strafford, the best servant a despotic king could desire.

Amongst the means taken to raise money in

Ireland for James the First and his son Charles, a proceeding called "a commission to inquire into defective titles" was invented. It was a scheme, gentlemen, to inquire of every man what right he had to his own property, and to have it solemnly and legally determined that he had none. To effectuate this scheme required great management, discretion, and integrity. First, there were 4000 excellent horse raised for the purpose of being, as Strafford himself said, "good lookers-on." The rest of the arrangement I would recommend to modern practice; it would save much trouble. I will shortly abstract it from two of Strafford's own letters.

The one appears to have been written by him to the Lord Treasurer; it is dated the 3d December, 1634. He begins with an apology for not having been more expeditious in this work of plunder, for his employers were, it seems, impatient at the melancholy waste of time. He then says:—

"Howbeit, I will redeem the time as much as I can, with such as may give furtherance to the king's title, *and will inquire out fit men to serve upon the juries.*"

Take notice of that, gentlemen, I pray you; perhaps you thought that the "packing of

juries" was a modern invention—a new discovery. You see how greatly mistaken you were; the thing has example and precedent to support it, and the authority of both are, in our law, quite conclusive.

The next step was to corrupt—oh, no, to interest the wise and learned judges. But commentary becomes unnecessary when I read for you this passage from a letter of his to the King, dated the 9th of December, 1636:—

"Your Majesty was graciously pleased, upon my humble advice, to bestow four shillings in the pound upon your Lord Chief Justice and Lord Chief Baron in this kingdom, fourth of the first yearly rent raised upon the commission of defective title, which, *upon observation, I find to be the best given that ever was.* For now they do intend it, with a care and diligence, such as if it were their own private, and most certain gaining to themselves; every four shillings once paid, shall better your revenue forever after, at least five pounds."

Thus, gentlemen of the jury, all was ready for the mockery of law and justice, called a trial.

Now, let me take any one of you; let me place him here, where Mr. Magee stands; let

him have his property at stake; let it be of less value, I pray you, than a compensation for two years' imprisonment; it will, however, be of sufficient value to interest and rouse all your agony and anxiety. If you were so placed here, you would see before you the well-paid Attorney-General, perhaps, malignantly delighted to pour his rancor upon you; on the bench would sit the corrupt and partisan judge, and before you, on that seat which you now occupy, would be placed the packed and predetermined jury.

I beg, sir, to know what would be your feelings, your honor, your rage; would you not compare the Attorney-General to the gambler who played with a loaded die? and then you would hear him talk, in solemn and monotonous tones, of his conscience! Oh, his conscience, gentlemen of the jury!

But the times are altered. The Press, the Press, gentlemen, has effectuated a salutary revolution; a commission of defective titles would no longer be tolerated; the judges can no longer be bribed with money, and juries can no longer be——I must not say it. Yes, they can, you know—we all know they can be still *inquired out*, and "packed," as the technical

phrase is. But *you*, who are not packed, *you*, who have been *fairly* selected, will see that the language of the publication before us is mildness itself, compared with that which the truth of history requires—compared with that which history has already used.

I proceed with this alleged libel.

The next sentence is this:—

"The profligate, unprincipled Westmoreland"—I throw down the paper and address myself in particular to some of you. There are, I see, amongst you some of our Bible distributors, "and of our suppressors of vice." Distributors of Bibles, suppressors of vice—what call you profligacy? What is it you would call profligacy? Suppose the peerage was exposed to sale—set up at open auction—it was at that time a judicial office—suppose that its price, the exact price of this judicial office, was accurately ascertained by daily experience—would you call that profligacy? If pensions were multiplied beyond bounds and beyond example—if places were augmented until invention was exhausted, and then were subdivided and split into halves, so that two might take the emoluments of each, and no person do the duty—if these acts were resorted to in order

to corrupt your representatives — would you, gentle suppressors of vice, call that profligacy?

If the father of children selected in the open day his adulterous paramour—if the wedded mother of children displayed her crime unblushingly—if the assent of the titled or untitled wittol to his own shame was purchased with the people's money—if this scene—if these were enacted in the open day, would you call that profligacy, sweet distributors of Bibles? The women of Ireland have always been beauteous to a proverb; they were, without an exception, chaste beyond the terseness of a proverb to express; they are still as chaste as in former days, but the depraved example of a depraved court has furnished some exceptions, and the action of criminal conversation, before the time of Westmoreland unknown, has since become more familiar to our courts of justice.

Call you the sad example which produced those exceptions—call you *that* profligacy, suppressors of vice and Bible distributors? The vices of the poor are within the reach of control; to suppress them, you can call in aid the churchwarden and the constable; the justice of the peace will readily aid you, for he is a gentleman—the Court of Sessions will punish

those vices for you by fine, by imprisonment, and, if you are urgent, by whipping. But, suppressors of vice, who shall aid you to suppress the vices of the great? Are you sincere, or are you, to use your own phraseology, whitewashed tombs—painted charnel-houses? Be ye hypocrites? If you are not—if you be sincere, (and, oh, how I wish that you were)—if you be sincere, I will steadily require to know of you, what aid you expect, to suppress the vices of the rich and great? Who will assist you to suppress those vices? The churchwarden!!—why he, I believe, handed *them* into the best pew in one of your cathedrals, that they might lovingly hear Divine service together. The constable!! Absurd. The justice of the peace!!—no, upon his honor. As to the Court of Sessions, you cannot expect it to interfere; and my lords the judges are really so busy at the assizes, in hurrying the grand juries through the presentments, that there is no leisure to look after the scandalous faults of the great. Who, then, sincere and candid suppressors of vice, can aid you?—*The Press*; the Press alone talks of the profligacy of the great; and, at least, shames into decency those whom it may fail to correct. The Press is your, but your only assis-

tant. Go, then, men of conscience, men of religion—go, then, and convict John Magee, because he published that Westmoreland was profligate and unprincipled as a Lord Lieutenant—do, convict, and then return to your distribution of Bibles and to your attacks upon the recreations of the poor, under the name of vices!

Do, convict the only aid which virtue has, and distribute your Bibles that you may have the name of being religious; upon your sincerity depends my client's prospect of a verdict. *Does* he lean upon a broken reed?

I pass on from the sanctified portion of the jury which I have latterly addressed, and I call the attention of you all to the next member of the sentence:—

"The cold-hearted and cruel Camden."

Here I have your prejudices all armed against me. In the administration of Camden, your faction was cherished and triumphant. Will you prevent him to be called cold and cruel? Alas! to-day, why have I not men to address who would listen to me for the sake of impartial justice! But even with *you* the case is too powerful to allow me to despair.

Well, *I do* say, the cold and cruel Camden. Why, on *one circuit*, during his administration,

there were *one hundred individuals tried before one judge; of these ninety-eight were capitally convicted, and ninety-seven hanged!* I understand *one* escaped; but he was a *soldier* who murdered a *peasant*, or something of that *trivial* nature—*ninety-seven* victims in one circuit!!!

In the meantime, it was necessary, for the purposes of the Union, that the flame of rebellion should be fed. The meetings of the rebel colonels in the north were, for a length of time, regularly reported to government; but the rebellion was not then ripe enough; and whilst the fruit was coming to maturity, under the fostering hand of the administration, the wretched dupes atoned on the gallows for allowing themselves to be deceived.

In the meantime the soldiery were turned in at free quarters amongst the wives and daughters of the peasantry!!!

Have you heard of Abercrombie, the valiant and the good—he who, mortally wounded, neglected his wound until victory was ascertained—he who allowed his life's stream to flow unnoticed because his country's battle was in suspense—he who died the martyr of victory—he who commenced the career of glory on the land, and taught French insolence,

than which there is nothing so permanent—even transplanted, it exhibits itself to the third and fourth generation—he taught French insolence, that the British and Irish soldier was as much his superior by land, as the sailor was confessedly by sea—he, in short, who commenced that career which has since placed the Irish Wellington on the highest pinnacle of glory? Abercrombie and Moore were in Ireland under Camden. Moore, too, has since fallen at the moment of triumph—Moore, the best of sons, of brothers, of friends, of men—the soldier and the scholar—the soul of reason and the heart of pity—Moore has, in documents of which you may plead ignorance, left his opinions upon record with respect to the cruelty of Camden's administration. But you all have heard of Abercrombie's proclamation, for it amounted to that; he proclaimed that cruelty in terms the most unequivocal; he stated to the soldiery and to the nation, that the conduct of the Camden administration had rendered "the soldiery formidable to all but the enemy."

Was there no cruelty in thus degrading the British soldier? And say, was not the process by which that degradation was effectuated cruelty? Do, then, contradict Abercrombie,

upon your oaths, if you dare; but, by doing so, it is not my client alone you will convict—you will also convict yourselves of the foul crime of perjury.

I now come to the third branch of this sentence; and here I have an easy task. All, gentlemen, that is said of the artificer and superintendent of the Union is this—"the artful and treacherous Cornwallis." Is it necessary to prove that the Union was effectuated by artifice and treachery? For my part, it makes my blood boil when I think of the unhappy period which was contrived and seized on to carry it into effect; one year sooner, and it would have been a revolution—one year later, and it would have been forever impossible to carry it. The moment was artfully and treacherously seized on, and *our* country, that *was* a nation for countless ages, has dwindled into a province, and her name and her glory are extinct forever.

I should not waste a moment upon this part of the case, but that the gentlemen at the other side who opposed that measure have furnished me with some topics which I may not, cannot, omit. Indeed, Mr. Magee deserves no verdict from any Irish jury who can hesitate to think

that the contriver of the Union is treated with too much lenity in this sentence; he fears your disapprobation for speaking with so little animosity of the artificer of the Union.

There was one piece of treachery committed at that period, at which both you and I equally rejoice; it was the breach of faith towards the leading Catholics; the written promises made them at that period have been since printed; I rejoice with you that they were not fulfilled; when the Catholic trafficked for his own advantage upon his country's miseries, he deserved to be deceived. For this mockery, I thank the Cornwallis administration. *I rejoice, also, that my first introduction to the stage of public life, was in the opposition to that measure.*

In humble and obscure distance, I followed the footsteps of my present adversaries. What their sentiments were then of the authors of the Union, I beg to read to you; I will read them from a newspaper set up for the mere purpose of opposing the Union, and conducted under the control of these gentlemen.'

* * * * * *

Having followed the prosecutor through this weary digression, I return to the next sentence of this publication. Yet I cannot—I must

detain you still a little longer from it, whilst I supplicate your honest indignation, if in your resentments there be aught of honesty, against the mode in which the Attorney-General has introduced the name of our aged and afflicted sovereign. He says this is a libel on the King, because it imputes to him a selection of improper and criminal chief governors. Gentlemen, this is the very acme of servile doctrine. It is the most unconstitutional doctrine that could be uttered: it supposes that the sovereign is responsible for the acts of his servants, whilst the constitution declares that the King can do no wrong, and that even for his personal acts, his servants shall be personally responsible. Thus, the Attorney-General reverses for you the constitution in theory; and, in point of fact, where can be found, in this publication, any, even the slightest allusion to his Majesty? The theory is against the Attorney-General, and yet, contrary to the fact, and against the theory, he seeks to enlist another prejudice of yours against Mr. Magee.

Prejudice did I call it? Oh, no! it is no prejudice; that sentiment which combines respect with affection for my aged sovereign, suffering under a calamity with which heaven has willed

to visit him, but which is not due to any default of his. There never was a sentiment that I should wish to see more cherished—more honored. To you the King may appear an object of respect; to his Catholic subjects he is one of veneration; to them he has been a bountiful benefactor. To the utter disregard of your aldermen of Skinner's-alley, and the more pompous magnates of William-street, his Majesty procured, at his earnest solicitation from Parliament, the restoration of much of our liberties. He disregarded your anti-Popery petitions. He treated with calm indifference the ebullitions of your bigotry; and I owe to him that I have the honor of standing in the proud situation from which I am able, if not to protect my client, at least to pour the indignant torrent of my discourse against his enemies, and those of his country.

The publication to which I now recall you, goes to describe the effects of the facts which I have shown you to have been drawn from the undisputed and authentic history of former times. I have, I hope, convinced you that neither Leland nor Hume could have been indicted for stating those facts, and it would be a very strange perversion of principle, which

would allow you to convict Mr. Magee for that which has been stated by other writers, not only without punishment, but with applause.

That part of the paragraph which relates to the present day is in these words:—

"Since that period the complexion of the times has changed—the country has advanced—it has outgrown submission, *and some forms, at least, must now be observed towards the people.*

"The system, however, is still the same; it is the old play with new decorations, presented in an age somewhat more enlightened; the principle of government remains unaltered—a principle of exclusion which debars the majority of the people from the enjoyment of those privileges that are possessed by the minority, and which must, therefore, maintain itself by all those measures necessary for a government founded on injustice."

The prosecutor insists that this is the most libellous part of the entire publication. I am glad he does so; because if there be amongst you a single particle of discrimination, you cannot fail to perceive that this is not a libel—that this paragraph cannot constitute any crime. It states that the present is a system of

exclusion. Surely, it is no crime to say so; it is what you all say. It is what the Attorney-General himself gloried in. This is, said he, exclusively a Protestant government. Mr. Magee and he are agreed. Mr. Magee adds that a principle of exclusion on account of religion, is founded on injustice. Gentlemen, if a Protestant were to be excluded from any temporal advantages upon the score of his religion, would not you say that the principle upon which he was excluded was unjust? That is precisely what Mr. Magee says; for the principle which excludes the Catholic in Ireland, would exclude the Protestant in Spain and in Portugal, and then you clearly admit its justice. So that, really, you would condemn yourselves, and your own opinions, and the right to be a Protestant in Spain and Portugal, if you condemn this sentiment.

But I would have you further observe that this is no more than the discussion of an abstract principle of government; it arraigns not the conduct of any individual, or of any administration; it only discusses and decides upon the moral fitness of a certain theory, on which the management of the affairs of Ireland has been conducted. If this be a crime, we are all

criminals; for this question, whether it be just or not to exclude from power and office a class of the people for religion, is the subject of daily —of hourly discussion. The Attorney-General says it is quite just; I proclaim it to be unjust —obviously unjust. At all public meetings, in all private companies, this point is decided different ways, according to the temper and the interest of individuals. Indeed, it is but too much the topic of every man's discourse; and the gaols and the barracks of the country would not contain the hundredth part of those with whom the Attorney-General would have to crowd them if it be penal to call the principle of exclusion unjust. In this court, without the least danger of interruption or reproof, I proclaim the injustice of that principle.

I will then ask whether it be lawful to print that which it is not unlawful to proclaim in the face of a court of justice? And above all, I will ask whether it can be criminal to discuss the abstract principles of government? Is the theory of the law a prohibited subject? I had understood that there was no right so clear and undoubted as that of discussing abstract and theoretic principles, and their applicability to practicable purposes. For the first time do

I hear this disputed; and now see what it is the Attorney-General prohibits. He insists upon punishing Mr. Magee; first, because he accuses his administration of "errors"; secondly, because he charges them with not being distinguished for "talents"; thirdly, because he cannot discover their "striking features"; and fourthly, because he discusses an "abstract principle"!

This is quite intelligible—this is quite tangible. I begin to understand what the Attorney-General means by the liberty of the Press; it means a prohibition of printing anything except praise respecting "*the errors, the talents, or the striking features*" of any administration, and of discussing any *abstract principle of government*. Thus the forbidden subjects are errors, talents, striking features, and principles. Neither the theory of the government nor its practices are to be discussed; you may, indeed, praise them; you may call the Attorney-General "the best and wisest of men"; you may call his lordship the most learned and impartial of all possible chief justices; you may, if you have powers of visage sufficient, call the Lord Lieutenant the best of all imaginable governors. That, gentlemen, is the boasted liberty of the

Press—the liberty that exists in Constantinople —the liberty of applying the most fulsome and unfounded flattery, but not one word of censure or reproof.

Here is an idol worthy of the veneration of the Attorney-General. Yes; he talked of his veneration for the liberty of the Press; he also talked of its being a protection to the people against the government. Protection! Not against errors—not against the want of talents or striking features—nor against the effort of any unjust principle—protection! Against what is it to protect? Did he not mock you? Did he not plainly and palpably delude you, when he talked of the protection of the Press? Yes. To his inconsistencies and contradictions he calls on you to sacrifice your consciences; and because you are no-Popery men, and distributors of Bibles, and aldermen of Skinner's-alley, and Protestant petitioners, he requires of you to brand your souls with perjury. You cannot escape it; it is, it must be perjury to find a verdict for a man who gravely admits that the liberty of the Press is recognized by law, and that it is a venerable object, and yet calls for your verdict upon the ground that there is no such thing in existence

as that which he has admitted, that the law recognizes, and that he himself venerates.

Clinging to the fond but faint hope that you are not capable of sanctioning, by your oaths, so monstrous an inconsistency, I lead you to the next sentence upon this record:

"Although his Grace does not appear to know what are the qualities necessary for a judge in Canada, or for an aide-de-camp in waiting at a court, he surely cannot be ignorant what are requisites for a Lord Lieutenant."

This appears to be a very innocent sentence; yet the Attorney-General, the venerator of that protection of the people against a bad government—the liberty of the Press—tells you that it is a gross libel to impute so much ignorance to his Grace. As to the aide-de-camp, gentlemen, whether he be selected for the brilliancy of his spurs, the polish of his boots, or the precise angle of his cocked hat, are grave considerations which I refer to you. Decide upon these atrocities, I pray you. But as to the judge in Canada, it cannot be any reproach to his Grace to be ignorant of his qualifications. The old French law prevails in Canada, and there is not a lawyer at the Irish Bar, except, perhaps, the Attorney-General, who is suffi-

ciently acquainted with that law to know how far any man may be fit for the station of judge in Canada.

If this be an ignorance without reproach in Irish lawyers, and if there be any reproach in it, I feel it not, whilst I avow that ignorance—yet, surely it is absurd to torture it into a calumny against the Lord Lieutenant—a military man, and no lawyer. I doubt whether it would be a libel if my client had said *that his Grace was ignorant of the qualities necessary for a judge* in Ireland—for a *chief judge*, my lord. He has not said so, however, gentlemen, and true or false, that is not now the question under consideration. We are in Canada at present, gentlemen, in a ludicrous search for a libel in a sentence of no great point or meaning. If you are sapient enough to suspect that it contains a libel, your doubt can only arise from not comprehending it; and that, I own, is a doubt difficult to remove. But I mock you when I talk of this insignificant sentence.

I shall read the next paragraph at full length. It is connected with the Canadian sentence:—

"Therefore, were an appeal to be made to him in a dispassionate and sober moment, we might candidly confess that the Irish would

not be disappointed in their hopes of a successor, though they would behold the same smiles, experience the same sincerity, and witness the same disposition towards conciliation.

"What though they were deceived in 1795, and found the mildness of a Fitzwilliam a false omen of concord; though they were duped in 1800, and found that the privileges of the Catholics did not follow the extinction of the parliament! Yet, at his departure, he will, no doubt, state good grounds for future expectation; that his administration was not the time for Emancipation, but that the season is fast approaching; that there were 'existing circumstances,' but that now the people may rely upon the virtues even of an hereditary Prince; that they should continue to worship the false idol; that their cries, must, at least, be heard; and that, if he has not complied, it is only because he has not spoken. In short, his Grace will in no way vary from the uniform conduct observed by most of his predecessors, first preaching to the confidence of the people, then playing upon their credulity.

"He came over ignorant—he soon became prejudiced, and then he became intemperate. He takes from the people their money; he

eats of their bread, and drinks of their wine; in return, he gives them a bad government, and, at his departure, leaves them more distracted than ever. His Grace commenced his reign by flattery, he continued it in folly, he accompanied it with violence, and he will conclude it with falsehood."

There is one part of this sentence for which I most respectfully solicit your indulgence and pardon. Be not exasperated with us for talking of the mildness of Lord Fitzwilliam, or of his administration. But, notwithstanding the violence any praise of him has excited amongst you, come dispassionately, I pray you, to the consideration of the paragraph. Let us abstract the meaning of it from the superfluous words. It certainly does tell you that his Grace came over ignorant of Irish affairs, and he acquired prejudices upon those subjects, and he has become intemperate. Let us discuss this part separately from the other matter suggested by the paragraph in question. That the Duke of Richmond came over to Ireland ignorant of the details of our domestic policy cannot be matter either of surprise or of any reproach. A military man engaged in those pursuits which otherwise occupy persons of his rank, altogether

unconnected with Ireland, he could not have had any inducement to make himself acquainted with the details of our barbarous wrongs, of our senseless party quarrels, and criminal feuds; he was not stimulated to examine them by any interest, nor could any man be attracted to study them by taste. It is, therefore, no censure to talk of his ignorance—of that with which it would be absurd to expect that he should be acquainted; and the knowledge of which would neither have served, nor exalted, nor amused him.

Then, gentlemen, it is said he became "prejudiced." Prejudiced may sound harsh in your ears; but you are not, at least you ought not, to decide upon *the sound*—it is *the sense* of the word that should determine you. Now what is the sense of the word "prejudice" here? It means the having adopted precisely the opinions which every one of you entertain. By "prejudice" the writer means, and can mean, nothing but such sentiments as *you cherish.* When he talks of prejudice, he intends to convey the idea that the Duke took up the opinion that the few ought to govern the many in Ireland; that there ought to be a favored, and an excluded class in Ireland; that the burdens of

the state ought to be shared equally, but its benefits conferred on a few. Such are the ideas conveyed by the word prejudice; and I fearlessly ask you, is it a crime to impute to his Grace these notions which *you* yourselves entertain? Is he calumniated—is he libelled, when he is charged with concurring with you, gentlemen of the jury? Will you, by a verdict of conviction, stamp your own political sentiments with the seal of reprobation? If you convict my client, you do this; you decide that it is a libel to charge any man with those doctrines which are so useful to you individually, and of which you boast; or, you think the opinions just, and yet that it is criminal to charge a man with those just opinions. For the sake, therefore, of consistency, and as an approval of your own opinions, I call on you for a verdict of acquittal.

I need not detain you long on the expression "intemperate"; it does not mean any charge of excess of indulgence in any enjoyment; it is not, as the Attorney-General suggested, an accusation of indulging beyond due bounds in the pleasures of the table, or of the bottle; it does not allude, as the Attorney-General says, to midnight orgies, or to morning revels. I

admit—I freely admit—that an allusion of that kind would savor of libel, as it would certainly be unnecessary for any purpose of political discussion. But the intemperance here spoken of is mere political intemperance; it is that violence which every man of a fervid disposition feels in support of his political opinions. Nay, the more pure and honest any man may be in the adoption of his opinions, the more likely, and the more justifiable will he be in that ardent support of them which goes by the name of intemperance.

In short, although political intemperance cannot be deemed by cold calculators as a virtue, yet it has its source in the purest virtues of the human heart, and it frequently produces the greatest advantages to the public. How would it be possible to overcome the many obstacles which self-interest, and ignorance, and passion throw in the way of improvement, without some of that ardor of temper and disposition which grave men call intemperance? And, gentlemen, are not your opinions as deserving of warm support as the opinions of other men; or do you feel any inherent depravity in the political sentiments which the Duke of Richmond has adopted from you, that would render

him depraved or degraded by any violence in their support? You have no alternative. If you convict my client, you condemn, upon your oaths, your own political creed; and declare it to be a libel to charge any man with energy in your cause.

If you are not disposed to go this length of political inconsistency, and if you have determined to avoid the religious inconsistency of perjuring yourselves for the good and glory of the Protestant religion, do, I pray you, examine the rest of this paragraph, and see whether you can, by any ingenuity, detect that nondescript, a libel, in it. It states in substance this: that this administration, treading in the steps of former administrations, preached to the confidence of the people, and played on their credulity; and that it will end, as those administrations have done, in some flattering prophecy, paying present disappointment with the coinage of delusive hope. That this administration commenced, as usual, with preaching to the confidence of the people, was neither criminal in the fact, nor can it be unpleasant in the recital.

It is the immemorial usage of all administrations and of all stations, to commence with

those civil professions of future excellence of conduct which are called, and not unaptly, "*preaching to the confidence of the people.*" The very actors are generally sincere at this stage of the political farce; and it is not insinuated that this administration was not as candid on this subject as the best of its predecessors. The *playing on the credulity of the people* is the ordinary state trick. You recollect how angry many of you were with his Grace for his Munster tour, shortly after his arrival here. You recollect how he checked the Mayor of Cork for proposing the new favorite Orange toast; what liberality he displayed to Popish traders and bankers in Limerick; and how he returned to the capital, leaving behind him the impression that the no-Popery men had been mistaken in their choice, and that the Duke of Richmond was the enemy of every bigotry—the friend to every liberality! Was he sincere, gentlemen of the jury, or was this one of those innocent devices which are called—playing on the people's credulity? Was he sincere? Ask his subsequent conduct. Have there been since that time any other or different toasts cheered in his presence? Has the name of Ireland and of Irishmen been profaned by becoming the

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sport of the warmth excited by the accompaniment to these toasts? Some individuals of you could inform me. I see another dignitary of your corporation here [said Mr. O'Connell, turning round pointedly to the Lord Mayor]—I see a civic dignitary here, who could tell of the toasts of these days or nights, and would not be at a loss to apply the right name—if he were not too prudent as well as too polite to do so—to that innocent affectation of liberality which distinguished his Grace's visit to the south of Ireland. It was, indeed, a play upon our credulity, but it can be no libel to speak of it as such; for see the situation in which you would place his Grace; you know he affected conciliation and perfect neutrality between our parties at first; you know he has since taken a marked and decided part with you.

Surely you are not disposed to call this a crime, as it were, to convict his Grace of duplicity, and of a vile hypocrisy. No, gentlemen, I entreat of you not to calumniate the Duke; call this conduct a mere play on the credulity of a people easily deceived—innocent in its intention, and equally void of guilt in its description. Do not attach to those words a meaning which would prove that you

yourselves condemned, not so much the writer of them, as the man who gave color and countenance to this assertion. Besides, gentlemen, what is your liberty of the Press worth, if it be worthy of a dungeon to assert that the public credulity has been played upon? The liberty of the Press would be less than a dream, a shadow, if every such phrase be a libel.

But the Attorney-General triumphantly tells you that there must be a libel in this paragraph, because it ends with a charge of falsehood. May I ask you to take the entire paragraph together? Common sense and your duty require you to do so. You will then perceive that this charge of falsehood is no more than an opinion that the administration of the Duke of Richmond will terminate precisely as that of many of his predecessors has done, by an excuse for the past—a flattering and fallacious promise for the future. Why, you must all of you have seen, a short time since, an account of a public dinner in London, given by persons styling themselves "Friends to Religious Liberty." At that dinner, at which two of the Royal Dukes attended, there were, I think, no less than four or five noblemen who had filled the office of Lord Lieutenant of Ireland. Gentlemen,

at this dinner, they were ardent in their professions of kindness towards the Catholics of Ireland, in their declarations of the obvious policy and justice of conciliation and concession, and they bore ample testimony to our sufferings and our merits. But I appeal from their present declarations to their past conduct; they are now full of liberality and justice to us; yet I speak only the truth of history when I say that, during their government of this country, no practical benefits resulted from all this wisdom and kindness of sentiment; with the single exception of Lord Fitzwilliam, not one of them even attempted to do any good to the Catholics, or to Ireland.

What did the Duke of Bedford do for us? *Just nothing.* Some civility, indeed, in words —some playing on public credulity—but in act and deed, nothing at all. What did Lord Hardwicke do for us? Oh, nothing, or rather less than nothing; his administration here was, in that respect, a kind of negative quality; it was cold, harsh, and forbidding to the Catholics; lenient, mild, and encouraging to the Orange faction; the public mind lay in the first torpor caused by the mighty fall of the Union, and whilst we lay entranced in the oblivious

pool, Lord Hardwicke's administration proceeded without a trace of that justice and liberality which it appears he must have thought unbefitting the season of his government, and which, if he then entertained, he certainly concealed; he ended, however, with giving us flattering hopes for the future. The Duke of Bedford was more explicit; he promised in direct terms, and drew upon the future exertions of an *hereditary Prince*, to compensate us for present disappointment. And will any man assert that the Duke of Richmond is libelled by a comparison with Lord Hardwicke; that he is traduced when he is compared with the Duke of Bedford? If the words actually were these, "the Duke of Richmond will terminate his administration exactly as Lord Hardwicke and the Duke of Bedford terminated their administrations"; if those were the words, none of you could possibly vote for a conviction, and yet the meaning is precisely the same. No more is expressed by the language of my client; and, if the meaning be thus clearly innocent, it would be strange, indeed, to call on you for a verdict of conviction upon no more solid ground than this, that whilst the signification was the same, the words were different. And thus, again,

does the prosecutor require of you to separate the sense from the sound, and to convict for the sound, against the sense of the passage.

In plain truth, gentlemen, if there be a harshness in the sound, there is none in the words. The writer describes, and means to describe, the ordinary termination of every administration repaying in promise the defaults of performance. And, when he speaks of falsehood, he prophesies merely as to the probable or at least possible conclusion of the present government. He does not impute to any precedent assertion, falsehood; but he does predict, that the concluding promise of this, as of other administrations, depending as those promises always do upon other persons for performance, will remain as former promises have remained—unfulfilled and unperformed. And is this prophecy—this prediction a crime? Is it a libel to prophesy? See what topics this sage venerator of the liberty of the Press, the Attorney-General, would fain prohibit. First, he tells you that the crimes of the predecessors of the Duke must not be mentioned—and thus he forbids the history of past events. Secondly, he informs you that no allusion is to be made to the errors, follies, or even the striking

features of the present governors—and thus he forbids the detail of the occurrences of the present day. And, thirdly, he declares that no conjecture shall be made upon what is likely to occur hereafter—and thus he forbids all attempts to anticipate future acts.

It comes simply to this: he talks of venerating the liberties of the Press, and yet he restrains that Press from discussing past history, present story, and future probabilities; he prohibits the past, the present, and the future; ancient records, modern truth, and prophecy, are all within the capacious range of his punishments. Is there anything else? Would this venerator of the liberty of the Press go farther? Yes, gentlemen; having forbidden all matter of history past and present, and all prediction of the future, he generously throws in *abstract principles*, and, as he has told you that his prisons shall contain every person who speaks of what was, or what is, or what will be, he likewise consigned to the same fate every person who treats of the theory or principles of government; and yet he dares to talk of the liberty of the Press! Can you be his dupes? Will you be his victims? Where is the conscience—where is the indignant spirit

of insulted reason amongst you? Has party feeling extinguished in your breasts every glow of virtue—every spark of manhood?

If there be any warmth about you—if you are not clay-cold to all but party feeling, I would, with the air and in the tone of triumph, call you to the consideration of the remaining paragraph which has been spread on the lengthened indictment before you. I divide it into two branches, and shall do no more with the one than to repeat it. I read it for you already; I must read it again:

"Had he remained what he first came over, or what he afterwards professed to be, he would have retained his reputation for ***honest, open hostility***, defending his political principles with firmness, perhaps with warmth, but without rancor; the supporter, and not the tool of an administration; a mistaken politician, perhaps, but an honorable man and a respectable soldier."

Would to God I had to address another jury! Would to God I had reason and judgment to address, and I could entertain no apprehension from passion or prejudice! Here should I then take my stand, and require of that unprejudiced jury, whether this sentence

does not demonstrate the complete absence of private malice or personal hostility. Does not this sentence prove a kindly disposition towards the individual, mixing and mingling with that discussion which freedom sanctions and requires, respecting his political conduct? Contrast this sentence with the prosecutor's accusation of private malignity, and decide between Mr. Magee and his calumniators. He, at least, has this advantage, that your verdict cannot alter the nature of things; and that the public must see and feel this truth, that the present prosecution is directed against the discussion of the conduct towards the public, of men confided with public authority; that this is a direct attack upon the right to call the attention of the people to the management of the people's affairs, and that, by your verdict of conviction, it is intended to leave no peaceful or unawed mode of redress for the wrongs and sufferings of the people.

But I will not detain you on these obvious topics. We draw to a close, and I hurry to it. This sentence is said to be particularly libellous:

"His party would have been proud of him; his friends would have praised (they need not

have flattered him), and his enemies, though they might have regretted, must have respected his conduct; from the worst quarter there would have been some small tribute of praise; from none any great portion of censure; and his administration, though not popular, would have been conducted with dignity, and without offence. This line of conduct he has taken care to avoid; his original character for moderation he has forfeited; he can lay no claims to any merits for neutrality, nor does he even deserve the cheerless credit of defensive operations. He has begun to act; he has ceased to be a dispassionate chief governor, who views the wickedness and the folly of faction with composure and forbearance, and stands, the representative of majesty, aloof from the contest. He descends; he mixes with the throng; he becomes personally engaged, and having lost his temper, calls forth his private passions to support his public principles; he is no longer an indifferent viceroy, but a frightful partisan of an English ministry, whose base passions he indulges—whose unworthy resentments he gratifies, and on whose behalf he at present canvasses."

Well, gentlemen, and did he not canvass on

behalf of the ministry? Was there a titled or untitled servant of the Castle who was not despatched to the south to vote against the popular, and for the ministerial candidates? Was there a single individual within the reach of his Grace that did not vote against Prittie and Matthew, in Tipperary, and against Hutchinson, in Cork? I have brought with me some of the newspapers of the day, in which this partisanship in the Lord Lieutenant is treated by Mr. Hutchinson in language so strong and so pointed, that the words of this publication are mildness and softness itself when compared with that language. I shall not read them for you, because I should fear that you may imagine I unnecessarily identified my client with the violent but the merited reprobation poured upon the scandalous interference of our government with those elections.

I need not, I am sure, tell you that any interference by the Lord Lieutenant with the purity of the election of members to serve in Parliament, is highly unconstitutional, and highly criminal; he is doubly bound to the most strict neutrality; first, as a peer, the law prohibits his interference; secondly, as representative of the crown, his interference in elections is an

usurpation of the people's rights; it is, in substance and effect, high treason against the people, and its mischiefs are not the less by reason of there being no punishment affixed by the law to this treason.

If this offence, gentlemen, be of daily occurrence—if it be frequently committed, it is upon that account only the more destructive to our liberties, and, therefore, requires the more loud, direct, and frequent condemnation: indeed, if such practices be permitted to prevail, there is an end of every remnant of freedom; our boasted constitution becomes a mockery and an object of ridicule, and we ought to desire the manly simplicity of unmixed despotism. Will the Attorney-General—will his colleague, the Solicitor-General, deny that I have described this offence in its true colors? Will they attempt to deny the interference of the Duke of Richmond in the late elections? I would almost venture to put your verdict upon this, and to consent to a conviction, if any person shall be found so stocked with audacity, as to presume publicly to deny the interference of his Grace in the late elections, and his partisanship in favor of the ministerial candidates. Gentlemen, if that be denied, what will you, what can you think

of the veracity of the man who denies it? I fearlessly refer the fact to you; on that fact I build. This interference is as notorious as the sun at noonday; and who shall venture to deny that such interference is described by a soft term when it is called partisanship? He who uses the influence of the executive to control the choice of the representatives of the people, violates the first principles of the constitution, is guilty of political sacrilege, and profanes the very sanctuary of the people's rights and liberties; and if he should not be called a partisan, it is only because some harsher and more appropriate term ought to be applied to his delinquency.

I will recall to your minds an instance of violation of the constitution, which will illustrate the situation of my client, and the protection which, for your own sakes, you owe him. When, in 1687, King James removed several Protestant rectors in Ireland from their churches, against law and justice, and illegally and unconstitutionally placed Roman Catholic clergymen in their stead, would any of you be content that he should be simply called a partisan? No, gentlemen; my client and I—Catholic and Protestant though we be—agree perfectly in

this, that partisan would have been too mild a name for him, and that he should have been branded as a violator of law, as an enemy to the constitution, and as a crafty tyrant who sought to gratify the prejudices of one part of his subjects, that he might trample upon the liberties of all. And what, I would fain learn, could you think of the Attorney-General who prosecuted, or of the judge who condemned, or of the jury who convicted a printer for publishing to the world this tyranny—this gross violation of law and justice? But how would your indignation be roused, if James had been only called a partisan, and for calling him a partisan a Popish jury had been packed, a Popish judge had been selected, and that the printer, who, you will admit, deserved applause and reward, met condemnation and punishment!

Of *you*—of *you*, shall *this story be told*, if you convict Mr. Magee. The Duke has interfered in elections; he has violated the liberties of the subject; he has profaned the very temple of the constitution; and he who has said that in so doing he was a partisan, from your hands expects punishment.

Compare the kindred offences: James deprived the Protestant rectors of their livings;

he did not persecute, nor did he interfere with their religion; for tithes, and oblations, and glebes, and church lands, though solid appendages to any church, are no part of the Protestant religion. The Protestant religion would, I presume—and for the honor of human nature I sincerely hope—continue its influence over the human mind without the aid of those extrinsic advantages. Its pastors would, I trust and believe, have remained true to their charge, without the adventitious benefits of temporal rewards; and, like the Roman Catholic Church, it might have shone forth a glorious example of firmness in religion, setting persecution at defiance. James did not attack the Protestant religion; I repeat it; he only attacked the revenues of the Protestant Church; he violated the law and the constitution, in depriving men of that property, by his individual authority, to which they had precisely the same right with that by which he wore his crown. But is not the controlling the election of members of Parliament a more dangerous violation of the constitution? Does it not corrupt the very sources of legislation, and convert the guardians of the state into its plunderers? The one was a direct and undisguised crime, capable of be-

ing redressed in the ordinary course of the law, and producing resistance by its open and plain violation of right and of law; the other disguises itself in so many shapes, is patronized by so many high examples, and is followed by such perfect security, that it becomes the first duty of every man who possesses any reverence for the constitution, or any attachment to liberty, to lend all his efforts to detect, and, if possible, to punish it.

To any man who loved the constitution or freedom, I could safely appeal for my client's vindication; or if any displeasure could be excited in the mind of such a man, it would arise because of the forbearance and lenity of this publication. But the Duke is called a frightful partisan. Granted, gentlemen, granted. And is not the interference I have mentioned frightful? Is it not terrific? Who can contemplate it without shuddering at the consequences which it is likely to produce? What gentler phrase—what ladylike expression should my client use? The constitution is sought to be violated, and he calls the author of that violation a frightful partisan. Really, gentlemen, the fastidiousness which would reject this expression would be better employed in

preventing or punishing crime, than in dragging to a dungeon the man who has the manliness to adhere to truth, and to use it. Recollect also—I cannot repeat it too often—that the Attorney-General told you that "the liberty of the Press was the best protection of the people against the government." Now, if the constitution be violated—if the purity of election be disturbed by the executive, is not this precisely the case when this protection becomes necessary? It is not wanted, nor can the Press be called a protector, so long as the government is administered with fidelity, care, and skill. The protection of the Press is requisite only when integrity, diligence, or judgment do not belong to the administration; and that protection becomes the more necessary in the exact proportion in which these qualities are deficient. But, what protection can it afford if you convict in this instance? For, by doing so you will decide that nothing ought to be said against that want of honesty, or of attention, or of understanding; the more necessary will the protection of the Press become, the more unsafe will it be to publish the truth; and in the exact proportion in which the Press might be useful, will it become liable to punishment.

In short, according to the Attorney-General's doctrine, when the Press is "best employed and wanted most," it will be most dangerous to use it. And thus, the more corrupt and profligate any administration may be, the more clearly can the public prosecutor ascertain the sacrifice of his selected victim. And call you this protection? Is this a protector who must be disarmed the moment danger threatens, and is bound a prisoner the instant the fight has commenced?

Here I should close the case—here I should shortly recapitulate my client's defence, and leave him to your consideration; but I have been already too tedious, and shall do no more than recall to your recollection the purity, the integrity, the entire disinterestedness of Mr. Magee's motives. If money were his object, he could easily procure himself to be patronized and salaried; but he prefers to be persecuted and discountenanced by the great and powerful, because they cannot deprive him of the certain expectation that his exertions are useful to his long-suffering, ill-requited country.

He is disinterested, gentlemen; he is honest; the Attorney-General admitted it, and actually took the trouble of administering to him advice

how to amend his fortune and save his person. But the advice only made his youthful blood mantle in that ingenious countenance, and his reply was painted in the indignant look that told the Attorney-General he might offer wealth, but he could not bribe—that he might torture, but he could not terrify! Yes, gentlemen, firm in his honesty, and strong in the fervor of his love of Ireland, he fearlessly awaits your verdict, convinced that even you must respect the man whom you are called upon to condemn. Look to it, gentlemen; consider whether an honest, disinterested man shall be prohibited from discussing public affairs; consider whether all but flattery is to be silent—whether the discussion of the errors and the capacities of the ministers is to be closed forever. Whether we are to be silent as to the crimes of former periods, the follies of the present, and the credulity of the future; and, above all, reflect upon the demand that is made on you to punish the canvassing of abtract principles.

Has the Attorney-General succeeded? Has he procured a jury so fitted to his object, as to be ready to bury in oblivion every fault and every crime, every error and every imperfection

of public men, past, present, and future—and who shall, in addition, silence any dissertation on the theory or principle of legislation? Do, gentlemen, go this length with the prosecutor and then venture on your oaths. I charge you to venture to talk to your families of the venerable liberty of the Press—the protection of the people against the vices of the government.

I should conclude, but the Attorney-General compels me to follow him through another subject.[8]

* * * * * * *

Let me transport you from the heat and fury of domestic politics; let me place you in a foreign land; you are Protestants—with your good leave, you shall, for a moment, be Portuguese, and Portuguese is now an honorable name, for right well have the people of Portugal fought for their country, against the foreign invader. Oh! how easy to procure a similar spirit, and more of bravery, amongst the people of Ireland! The slight purchase of good words, and a kindly disposition, would convert them into an impenetrable guard for the safety of the Throne and the State. But advice and regret are equally unavailing, and they are doomed to calumny and oppression, the reality

of persecution, and the mockery of justice, until some fatal hour shall arrive which may preach wisdom to the dupes, and menace with punishment the oppressor.

In the meantime I must place you in Portugal. Let us suppose for an instant that the Protestant religion is that of the people of Portugal—the Catholic, that of the government—that the house of Braganza has not reigned, but that Portugal is still governed by the viceroy of a foreign nation, from whom no kindness, no favor, has ever flowed, and from whom justice has rarely been obtained, and upon those unfrequent occasions, not conceded generously, but extorted by force, or wrung from distress by terror and apprehension, in a stinted measure and ungracious manner; you, Protestants, shall form, not as with us in Ireland, nine tenths, but some lesser number—you shall be only four fifths of the population; and all the persecution which you have yourselves practised here upon Papists, whilst you, at the same time, accused the Papists of the crime of being persecutors, shall glow around; your native land shall be to you the country of strangers; you shall be aliens in the soil that gave you birth, and whilst every foreigner may,

in the land of your forefathers, attain rank, station, emolument, honors, you alone shall be excluded; and you shall be excluded for no other reason but a conscientious abhorrence to the religion of your ancestors.

Only think, gentlemen, of the scandalous injustice of punishing you because you are Protestants. With what scorn—with what contempt do you not listen to the stale pretences—to the miserable excuses by which, under the name of state reasons and political arguments, your exclusion and degradation are sought to be justified. Your reply is ready—"perform your iniquity—men of crimes," (you exclaim), "be unjust—punish us for our fidelity and honest adherence to truth, but insult us not by supposing that your reasoning can impose upon a single individual either of us or of yourselves." In this situation let me give you a viceroy; he shall be a man who may be styled—by some person disposed to exaggerate, beyond bounds, his merits, and to flatter him more than enough—"an honorable man and a respectable soldier," but, in point of fact, he shall be of that little-minded class of beings who are suited to be the plaything of knaves—one of those men who imagine they govern a nation,

whilst in reality they are but the instruments upon which the crafty play with safety and with profit. Take such a man for your viceroy —Protestant Portuguese. We shall begin with making this tour from Tralos Montes to the kingdom of Algesiras—as one amongst us should say, from the Giant's Causeway to the kingdom of Kerry. Upon his tour he shall affect great candor and good-will to the poor, suffering Protestants. The bloody anniversaries of the inquisitorial triumphs of former days shall be for a season abandoned, and over our inherent hostility the garb of hypocrisy shall, for a season, be thrown. Enmity to the Protestant shall become, for a moment, less apparent; but it will be only the more odious for the transitory disguise.

The delusion of the hour having served its purpose, your viceroy shows himself in his native colors; he selects for office, and prefers for his pension list, the men miserable in intellect, if they be but virulent against the Protestants; to rail against the Protestant religion—to turn its holiest rites into ridicule—to slander the individual Protestants, are the surest, the only means to obtain his favor and patronage. He selects from his Popish bigots some being

more canine than human, who, not having talents to sell, brings to the market of bigotry his impudence—who, with no quality under heaven but gross, vulgar, acrimonious, disgustful, and shameless abuse of Protestantism to recommend him, shall be promoted to some accountant-generalship, and shall riot in the spoils of the people he traduces, as it were to crown with insult the severest injuries. This viceroy selects for his favorite privy councillor some learned doctor, *half lawyer, half divine, an entire brute*, distinguished by the unblushing repetition of calumnies against the Protestants. This man has asserted that Protestants are perjurers and murderers in principle—that they keep no faith with Papists, but hold it lawful and meritorious to violate every engagement, and commit every atrocity towards any person who happens to differ with Protestants in religious belief. This man raves thus, in public, against the Protestants, and has turned his ravings into large personal emoluments. But whilst he is the oracle of minor bigots, he does not believe himself; he has selected for the partner of his tenderest joys, of his most ecstatic moments—he has chosen for the intended mother of his children, for the sweetener and

solace of his every care, a Protestant, gentlemen of the jury.

Next to the vile instruments of bigotry, his accountant-general and privy councillor, we will place his acts. The Protestants of Portugal shall be exposed to insult and slaughter; an Orange party—a party of Popish Orangemen shall be supposed to exist; they shall have liberty to slaughter the unarmed and defenceless Protestants, and as they sit peaceably at their firesides. They shall be let loose in some Portuguese district, called Monaghan; they shall cover the streets of some Portuguese town of Belfast with human gore; and in the metropolis of Lisbon, the Protestant widow shall have her harmless child murdered in the noon day and his blood shall have flowed unrequited, because his assassin was very loyal when he was drunk, and had an irresistible propensity to signalize his loyalty by killing Protestants. Behold, gentlemen, this viceroy depriving of command, and staying the promotion of, every military man who shall dare to think Protestants men, or who shall presume to suggest that they ought not to be prosecuted. Behold this viceroy promoting and rewarding the men who insulted and attempted to degrade

the first of your Protestant nobility. Behold him in public, the man I have described.

In his personal concerns he receives an enormous revenue from the people he thus misgoverns. See in his management of that revenue a parsimony at which even his enemies blush. See the paltry sum of a single joe' refused to any Protestant charity, while his bounty is unknown even at the Popish institutions for benevolent purposes. See the most wasteful expenditure of the public money—every job patronized—every profligacy encouraged. See the resources of Portugal diminished. See her discords and her internal feuds increased. And, lastly, behold the course of justice perverted and corrupted.

It is thus, gentlemen, the Protestant Portuguese seek to obtain relief by humble petition and supplication. There can be no crime surely for a Protestant, oppressed because he follows a religion which is, in his opinion, true, to endeavor to obtain relief by mildly representing to his Popish oppressors, that it is the right of every man to worship the Deity according to the dictates of his own conscience; to state respectfully to the governing powers that it is unjust, and may be highly impolitic, to punish

men, merely because they do not profess Popery, which they do not believe; and to submit, with all humility, that to lay the burdens of the state equally, and distribute its benefits partially, is not justice, but, although sanctioned by the pretence of religious zeal, is, in truth, iniquity, and palpably criminal. Well, gentlemen, for daring thus to remonstrate, the Protestants are persecuted. The first step in the persecution is to pervert the plain meaning of the Portuguese language, and a law prohibiting any *disguise* in apparel, shall be applied to the ordinary *dress* of the individual; it reminds one of *pretence* and *purpose*.

To carry on these persecutions, the viceroy chooses for his first inquisitor the descendant of some Popish refugee—some man with an hereditary hatred to Protestants; he is not the son of an Irishman, this refugee inquisitor—no, for the fact is notorious that the Irish refugee Papists were ever distinguished for their liberality, as well as for their gallantry in the field and talent in the cabinet. This inquisitor shall be, gentlemen, a descendant from one of those English Papists, who was the dupe or contriver of the Gunpowder Plot! With such a chief inquisitor, can you conceive anything more

calculated to rouse you to agony than the solemn mockery of your trial? This chief inquisitor begins by influencing the judges out of court; he proceeds to inquire out fit men for his interior tribunal, which, for brevity, we will call a jury. He selects his juries from the most violent of the Popish Orangemen of the city, and procures a conviction against law and common sense, and without evidence. Have you followed me, gentlemen? Do you enter into the feelings of Protestants thus insulted, thus oppressed, thus persecuted—their enemies and traducers promoted, and encouraged, and richly rewarded—their friends discountenanced and displaced—their persons unprotected, and their characters assailed by hired calumniators—their blood shed with impunity—their revenues parsimoniously spared to accumulate for the individual, wastefully squandered for the state—the emblems of discord, the war-cry of disunion, sanctioned by the highest authority, and Justice herself converted from an impartial arbitrator into a frightful partisan?

Yes, gentlemen, place yourselves as Protestants under such a persecution. Behold before you this chief inquisitor, with his prejudiced tribunal—this gambler, with a loaded die; and

now say what are your feelings — what are your sensations of disgust, abhorrence, affright? But if at such a moment some ardent and enthusiastic Papist, regardless of his interests, and roused by the crimes that were thus committed against you, should describe, in measured, and cautious, and cold language, scenes of oppression and iniquity—if he were to describe them, not as I have done, but in feeble and mild language, and simply state the facts for your benefit and the instruction of the public—if this liberal Papist, for this, were dragged to the Inquisition, as for a crime, and menaced with a dungeon for years, good and gracious God! how would you revolt at and abominate the men who could consign him to that dungeon! With what an eye of contempt, and hatred, and despair, would you not look at the packed and profligate tribunal which could direct punishment against him who deserved rewards! What pity would you not feel for the advocate who heavily, and without hope, labored in his defence! and with what agonized and frenzied despair would you not look to the future destinies of a land in which perjury was organized and from which humanity and justice had been forever banished!

With this picture of yourselves in Portugal, come home to us in Ireland; say, is that a crime, when applied to Protestants, which is a virtue and a merit when applied to Papists? Behold how we suffer here; and then reflect, that it is principally by reason of your prejudices against us that the Attorney-General hopes for your verdict. The good man has talked of his impartiality; he will suppress, he says, the licentiousness of the Press. I have, I hope, shown you the right of my client to discuss the public subjects which he has discussed in the manner they are treated of in the publication before you, yet he is prosecuted. Let me read for you a paragraph which the Attorney-General has not prosecuted—which he has refused to prosecute:

"BALLYBAY, July 4, 1813.

"A meeting of the Orange Lodges was agreed on, in consequence of the manner in which the Catholics wished to have persecuted the loyalists in this county last year, *when they even murdered some of them for no other reason than their being yeomen and Protestants.*"

And, again—

"It was at Ballybay that *the Catholics murdered one Hughes, a yeoman sergeant, for being*

a Protestant, as was given in evidence at the assizes by a Catholic witness."

I have read this passage from the *Hibernian Journal* of the 7th of this month. I know not whether you can hear, unmoved, a paragraph which makes my blood boil to read; but I shall only tell you, that the Attorney-General refused to prosecute this libeller. Gentlemen, there have been several murders committed in the county of Monaghan, in which Ballybay lies. The persons killed happened to be Roman Catholics; their murderers are Orangemen. Several of the persons accused of these murders are to be tried at the ensuing assizes. The agent applied to me personally, with this newspaper; he stated that the obvious intention was to create a prejudice upon the approaching trials favorable to the murderers, and against the prosecutors. He stated what you—*even you*—will easily believe, that there never was a falsehood more flagitiously destitute of truth than the entire paragraph. I advised him, gentlemen, to wait on the Attorney-General in the most respectful manner possible; to show him this paragraph, then to request to be allowed to satisfy him as to the utter falsehood of the assertions which this paragraph contained,

which could be more easily done, as the judges who went that circuit could prove part of it to be false; and I directed him to entreat that the Attorney-General, when fully satisfied of the falsehood, would prosecute the publisher of this, which, I think, I may call an atrocious libel.

Gentlemen, the Attorney-General was accordingly waited on; he was respectfully requested to prosecute upon the terms of having the falsehood of these assertions first proved to him. I need not tell you he refused. These are not the libellers *he* prosecutes. Gentlemen, this not being a libel on any individual, no private individual can prosecute for it; and the Attorney-General turns his Press loose on the Catholics of the county of Monaghan, whilst he virulently assails Mr. Magee for what must be admitted to be comparatively mild and inoffensive.

No, gentlemen, he does not prosecute this libel. On the contrary, this paper is paid enormous sums of the public money. There are no less than five proclamations in the paper containing this libel; and, it was proved in my presence, in a court of justice, that, besides the proclamations and public advertisements, the

two proprietors of the paper had each a pension of £400 per annum, for supporting government, as it was called. Since that period one of those proprietors has got an office worth, at least, £800 a year; and the son of the other, a place of upwards of £400 per annum: so that, as it is likely that the original pensions continue, here may be an annual income of £2000 paid for this paper, besides the thousands of pounds annually which the insertion of the proclamations and public advertisements cost. It is a paper of the very lowest and most paltry scale of talent, and its circulation is, fortunately, very limited; but it receives several thousands of pounds of the money of the men whom it foully and falsely calumniates.

Would I could see the man who pays this proclamation money and these pensions at the Castle. [Here Mr. O'Connell turned round to where Mr. Peele* sat.] Would I could see the man who, against the fact, asserted that the proclamations were inserted in all the papers, save in those whose proprietors were convicted of a libel. I would ask him whether this be a paper that ought to receive the money of the Irish people? Whether this be the legitimate

* Chief Secretary to the Lord Lieutenant.

use of the public purse? And when you find this calumniator salaried and rewarded, where is the impartiality, the justice, or even the decency of prosecuting Mr. Magee for a libel, merely because he has not praised public men, and has discussed public affairs in the spirit of freedom and of the constitution? Contrast the situation of Mr. Magee with the proprietor of the *Hibernian Journal:* the one is prosecuted with all the weight and influence of the Crown, the other pensioned by the ministers of the Crown; the one dragged to your bar for the sober discussion of political topics, the other hired to disseminate the most horrid calumnies! Let the Attorney-General now boast of his impartiality; can you credit him on your oaths? Let him talk of his veneration for the liberty of the Press; *can you* believe him in your consciences? Let him call the Press the protection of the people against the government. Yes, gentlemen, believe him when he says so. Let the Press be the protection of the people; he admits that it ought to be so. Will you find a verdict for him that shall contradict the only assertion upon which he and I, however, are both agreed?

Gentlemen, the Attorney-General is bound by

this admission; it is part of his case, and he is the prosecutor here; it is a part of the evidence before you, for he is the prosecutor. Then, gentlemen, it is your duty to act upon that evidence, and to allow the Press to afford some protection to the people.

Is there amongst you any one friend to freedom? Is there amongst you one man who esteems equal and impartial justice, who values the people's rights as the foundation of private happiness, and who considers life as no boon without liberty? Is there amongst you one friend to the constitution—one man who hates oppression? If there be, Mr. Magee appeals to his kindred mind, and confidently expects an acquittal.

There are amongst you men of great religious zeal—of much public piety. Are you sincere? Do you believe what you profess? With all this zeal—with all this piety, *is* there any conscience amongst you? *Is* there any terror of violating your oaths? Be ye hypocrites, or does genuine religion inspire ye? If you be sincere—if you have conscience—if your oaths can control your interests, then Mr. Magee confidently expects an acquittal.

If amongst you there be cherished one ray

of pure religion—if amongst you there glow a single spark of liberty—if I have alarmed religion, or roused the spirit of freedom in one breast amongst you, Mr. Magee is safe, and his country is served; but if there be none—if you be slaves and hypocrites, he will await your verdict, and despise it.'

LORD PALMERSTON.

THE life of Henry John Temple, Viscount Palmerston (1784–1865), covers so great a space of time elapsed and embraces so many high activities that few are the careers in English political history comparable to it. If one instinctively refers to the case of Mr. Gladstone, the nearest nineteenth century parallel, it is chiefly to observe the partly antithetical relation of the men: the one, a commoner always, the other, aristocrat by birth; each, in his time, Premier; and each preserving undimmed, past the great age of eighty years, distinguished powers of body and mind.

Lord Palmerston sprung from the Irish Temples, an ancient and honorable family. The whirligig of time has surely brought in no quainter changes than that the Temple of the Don Pacifico debate, the utterer of England's downright word, the first Jingo of his period,

should have descended, by near consanguinity, from the graceful, ineffectual Sir William Temple of Swift,—and, alas, of Bentley,—the gentleman who retired from the rude shock of politics to his Shene gardens, and who, instead of directing the troublous destinies of the state, penned models of prose style on gout and other gentlemanly things. And yet from the outset Lord Palmerston was destined to play a positive part in his world: as a man and a publicist he had few qualities that were not aggressive. A table condensed from the life by Bulwer gives in the most succinct form a view of how continuously he was in the thick of affairs.—

Born,	Oct. 20, 1784
Succeeded to the Title,	1802
M. A., at Cambridge,	1806
Junior Lord of the Admiralty,	1807–1809
Secretary at War,	1809–1828
" for Foreign Affairs,	1830–34; 1835 1841; 1846–1851
Home Secretary,	1852–1855
Prime Minister,	1855–1858; 1859–1865

As a boy, he is described as being notable for vivacity and energy; and, although undoubtedly hastened by family and connections, his early entry into public life was due in some measure to his own talents. Thus, before he was twenty-four, he had twice stood unsuccessfully for member for the University of Cambridge. His first election to Parliament came in June, 1807, from Newton, Isle of Wight. A few months later, Palmerston made his maiden speech, in favor of the expedition against Copenhagen, having previously, by family interest, been appointed a Junior Lord of the Admiralty. The speech attracted immediate attention; and the public was not surprised when, in 1809, the young man of twenty-five was offered so great a post as the Chancellorship of the Exchequer. There were doubtless few rising men who would have had a similar self-control; but Lord Palmerston modestly and wisely declined the sudden elevation, and, instead, elected to be Secretary at War, a kind of bursar to the army, in which comparatively obscure

position he passed nearly twenty years. His next advancement—to the Secretaryship for Foreign Affairs—marks his entrance into his real element. From now on the years were those of preparation; little by little he built himself toward the Premiership. From 1830, then, until his occupancy of the highest office an English subject may hold, Palmerston was almost constantly in office, constantly, too, a figure to be reckoned with. At last, in 1855, as a crown to his ripe years and manifold experience, came the Premiership, which was to occupy the last decade of his life. Until very near the end, he may be said to have upheld firmly the high responsibilities of the office. Hardly suspected to be seriously ill by the public, he died October 18, 1865, within two days of his eighty-first year, of gout, the statesman's disease.

The career of Lord Palmerston is typically an English and an aristocratic one. Nothing could be farther removed from the democratic ideal of the "self-made man." Palmerston, so



LORD PALMERSTON.


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to speak, was born into success; and he was able to retain and to extend his birthright. In democracies like the United States, and in constitutional monarchies like England, it is not always that the man showered with fortune's gifts makes public life at once his amusement and his profession. In the former state, such an one is the least likely of persons to raise an influential voice in Congress; in the latter, the man often drifts into the channels of sport or society. That the higher path has been essayed by so many well-born Englishmen is more than creditable: this fact lies close at the foundations of the British Empire.

We have said that through all the ramifications of the higher English life and politics Lord Palmerston was ever a pervasive figure. He could remember games of chess he had played, as a young man, with the unfortunate Queen Caroline: the year Byron published his first poems was the year of his entrance to Parliament; and he died as the American Confederacy flickered out in ashes. Through all these

years, as a statesman he had preserved much the same character. Foreign Affairs were his chief interest: his conception of their administration practically never swerved from the theory of a militant, unsleeping England—an England at times, perhaps, apt to be blustering and overbearing, but an England frankly devoted to its higher self-interests and to what, from an English point of view, was indubitably the good of the world. His position toward home affairs is hard to describe. So far as he was identified with local divisions he was a Conservative with a strong tinge of Liberal doctrine. Abroad, the tinge of Liberalism and the sympathies with Continental rebellions against absolute monarchy due to it, caused Palmerston to be regarded as almost a revolutionary. In truth, so far as England was concerned, he was profoundly in love with the *status quo*: the uprisings abroad, he considered, were only the restless gropings of the peoples towards a realization of the English system of government. In hardly any sense was his

policy constructive. As Mr. McCarthy remarks, in his brilliant estimate, great national crises he was at no time—perhaps happily—called on to meet. It was ever his way to follow, not direct the great impulses of public opinion that swept through Parliament. The same authority neatly sums him up in saying, "His policy was necessarily shifting, uncertain, and inconsistent; for he moulded it always on the supposed interests of England as they showed themselves to his eyes at the time." In a word, he was an astute server of the hour; and the hour requited him with more than the usual success. Such a person is obviously not nicely scrupulous in matters of the *haute-politique*. The qualities of indomitable self-confidence, lightning decision, and immediate execution which he carried to the Foreign Office were the direct cause of the one inglorious episode of his life. To state it colloquially, Palmerston was inclined as Foreign Secretary to run the external relations of England on his own hook. His impatience would not allow

him to hold despatches, in all cases, for the Queen's approval; and he soon fell under her grave displeasure. The formally polite warnings of the Court were not heeded by the eager Secretary. Just at the moment of the Don Pacifico triumph, Lord Palmerston was dismissed from office by royal request. He bore the slight bravely. In England such a man could not be kept down; but the incident is rare in the modern history of Court and Cabinet.

Except in the show speech of the Don Pacifico debate, Palmerston was rarely eloquent. He was humorous, flippant, almost slangy in phrase; and his favorite style was one of banter. Personally, his manner was distinguished by no particular stateliness of bearing—he seems to have been generally liked.

Mr. McCarthy hesitates to call him a great man. But it is likely that he will be remembered as one richly endowed by circumstance who was equal to his fate.

LORD PALMERSTON.

ON THE CASE OF DON PACIFICO: HOUSE OF COMMONS, JUNE 25, 1850.

The case of Don Pacifico, which led to the following masterpiece of Lord Palmerston's eloquence, is an example of how in the relations of states small matters may at a touch loom large and involve great issues. The collection of a bill of damages for household furniture, a mere entry in the vast budget of British governmental business, is seen to assume a serious, or, if one remembers the pedestrian character of the details, a tragi-comic import when it is known that on the event hung the chance of an European war.

Now the case, reduced to its bare details, is as follows: Don Pacifico, a Jew of Gibraltar, and a British subject, had taken up his residence at Athens, where, in the spring of 1847, he comes out of obscurity into momentary international fame, becomes with his petty affairs almost a *casus belli* between two great Powers, and then sinks to oblivion again. In the new kingdom of Greece, then only since a score of years galvanized into a nation by the protective agencies of France, Russia, and Great Britain, foreigners and their rights had met with no nice consideration at the hands of King Otho and his officials. Certain Ionian subjects of the Queen had suffered insult or damages; a midshipman of H. M. S. *Fantôme*, landing by night at Patras, had been forthwith arrested; and England had already reasonable right to complain, when the case of

Don Pacifico permitted her, in Lord Palmerston's opinion, no longer to hesitate.

On April 4, 1847, during the celebration of the Greek Easter, certain riotous Athenians, prohibited that year from indulging in one feature of the *fête*,—the hanging of Judas Iscariot in effigy,—and consequently enraged at Jews in general, made an attack upon the modest house of Don Pacifico. It was alleged at the time that sons of the Minister of War were among the mob; it is agreed that both house and furnishings were ruined. The establishment, we have said, was modest; but, although the Jew filed an extraordinary bill of claims (one bedstead he valued at £150), the principle involved was such that the incident could not be ignored by an English foreign secretary. Thus the matter at once became the subject of the most strenuous diplomatic correspondence; but Greece being like Turkey one of the countries of "To-morrow," nearly three years dragged away without satisfaction for Don Pacifico, until at last, with patience exhausted, Lord Palmerston sent the following instructions to the British Minister at Athens:

"F. O., December 3, 1849.

"MY DEAR WYSE:

"I have desired the Admiralty to instruct Sir William Parker to take Athens on his way back from the Dardanelles, and to support you in bringing at last to a satisfactory ending the settlement of our various claims upon the Greek Government. You will, of course, in conjunction with him, persevere in the *suaviter in modo* as long as is consistent with our dignity and honor, and I measure that time by days—perhaps by some very small number of hours. If, however, the Greek Government does not strike, Parker must do so."

The fleet arrived at the Piræus promptly, proclaimed a blockade, and seized some Greek vessels, both national and merchant. It was at this moment that the first element of

danger entered into the incident. Of the already imperfect "Concert" which had installed the kingdom of Hellas, Russia became at once uneasy at the aggressive steps of Lord Palmerston; but France, the third party, aflame with jealousy and distrust, from now on almost made the Greek cause her own. Ostensibly, however, she came forward with proposals of arbitration; and England saw it her affair to accept the good offices, at the Greek Court, of Baron Gros. The arbitor nevertheless, soon finding the British and the Franco-Greek positions incompatible, gave up his task; the blockade, with seizure of vessels, was renewed; and it was in the minds of men that once more would England and France stand face to face. Meanwhile Greece seemed to have become flurried at her situation as the focus of events, and at last submitted to Palmerston's pressure, under the following terms: a letter of apology to be presented for the *Fantôme* incident; an indemnity of 180,000 *drachmai* to be paid for damages to Don Pacifico and others; no compensation to be received by her for detention of vessels, which should then be released.

Thus, in the face of Greek delay and of probable French intrigue, Palmerston had gained his real point. But with it the second perilous moment arrived. In France the action of Greece was learned with a mixture of dismay and *Chauvinisme;* in England the Opposition saw its opening. The French Ambassador, M. Drouyn de Lhuys, was actually recalled; and it did not seem that war could be averted. Under these circumstances, on June 17, 1850, Lord Stanley introduced in the House of Lords this resolution of censure:

"That while the House fully recognizes the right and duty of the Government to secure to her Majesty's subjects residing in foreign states the full protection of the laws of these states, it regrets to find, by the correspondence recently laid upon the table by her Majesty's command, that various claims against the Greek Government, doubtful in

point of justice or exaggerated in amount, have been enforced by coercive measures directed against the commerce and people of Greece, and calculated to endanger the continuance of our friendly relations with other Powers."

Which was carried by a majority of 37.

The Government's answer was the counter-resolution introduced by Mr. Roebuck in the Commons, June 24th:

"That the principles on which the foreign policy of her Majesty's Government have been regulated have been such as were calculated to maintain the honor and dignity of this country; and in times of unexampled difficulty, to preserve peace between England and the various nations of the world."

The debate that followed is described as having been one of the most brilliant of the century—covering a period of five nights and engaging the most vigorous speakers then in the House. On the second night, Lord Palmerston rose, about to deliver the remarkable effort of his life. Speaking for nearly five hours and without MS., he held the continuous attention of both parties. Other speeches followed; but it seems certain that this was the pronouncement that led the Commons, in division on the fifth night, to declare for the Palmerston policy by a majority of 46.

The effect on the country, on the foreign Powers, and on Lord Palmerston's personal prestige was signal. Viewed internationally the whole affair betweeen France and England had been a game of bluff; and, by the agency of Lord Palmerston, the English bluff had won. In due time France returned her Ambassador to St. James; and all was as before.

As to the speech, there is no doubt but that it must be regarded as one of the most emphatic expositions extant of the aggressive theory of foreign policy—of what many would call the Jingo idea. Contemporary opinion—even of the Opposition—we know to have been moved by such stalwart

doctrines, so manfully laid down; for even Sir Robert Peel is quoted as saying, "It has made us all proud of him." Palmerston himself writes to a friend: "The attack on our foreign policy has been rightly understood by everybody, as the shot fired by a foreign conspiracy, aided and abetted by a domestic intrigue; and the parties have so entirely failed in the purpose, that instead of expelling and overthrowing me with disgrace, as they intended and hoped to do, they have rendered me for the present the most popular minister that for a very long course of time has held my office."

Strong words—but not overweening for one whose conduct of his country's interests had won for him from Lord John Russell a title of which any Premier might be proud,—"Lord Palmerston, a Minister of England."

SIR:

Anxious as many members are to deliver their sentiments upon this most important question, yet I am sure they will feel that it is due myself, that it is due to this House, that it is due to the country, that I should not permit the second night of this debate to close without having stated to the House my views upon the matters in question and my conduct, for which I have been called to account.

When I say that this is an important question, I say it in the fullest expression of the term. It is a matter which concerns not merely the tenure of office by one individual, or even by a government; it is a question that involves

principles of national policy, and the deepest interests as well as the honor and dignity of England. I cannot think that the course which has been pursued, and by which this question has assumed its present shape, is becoming those by whose act it has been brought under the discussion of Parliament, or such as fitting the gravity and the importance of the matters which they have thus led this House and the other House of Parliament to discuss. For if that party in this country imagine that they are strong enough to carry the Government by storm, and take possession of the citadel of office; or if, without intending to measure their strength with that of their opponents, they conceive that there are matters of such gravity connected with the conduct of the Government, that it becomes their duty to call upon Parliament solemnly to record its disapprobation of what has passed, I think that either in the one case or in the other, that party ought not to have been contented with obtaining the expression of the opinion of the House of Lords, but they ought to have sent down their resolution for the consent and concurrence of this House; or, at least, those who act with them in political co-operation here, should themselves have

proposed to this House to come to a similar resolution. But, be the road what it may, we have come to the same end; and the House is substantially considering whether they will adopt the resolution of the House of Lords, or the resolution which has been submitted to them by my honorable and learned friend, the Member for Sheffield.

Now, the resolution of the House of Lords involves the future as well as the past. It lays down for the future a principle of national policy which I consider totally incompatible with the interests, with the rights, with the honor, and with the dignity of the country; and at variance with the practice, not only of this, but of all other civilized countries in the world. Even the person who moved it was obliged essentially to modify it in his speech. But none of the modifications contained in the speech were introduced in the resolution adopted by the other House. The country is told that British subjects in foreign lands are entitled—for that is the meaning of the resolution—to nothing but the protection of the laws and the tribunals of the land in which they happen to reside. The country is told the British subjects abroad must not look to their

own country for protection, but must trust to that indifferent justice which they may happen to receive at the hands of the government and tribunals of the country in which they may be.

The House of Lords has not said that this proposition is limited to constitutional countries. The House of Lords has not said that the proposition is inapplicable, not only to arbitrary and despotic countries, but even to constitutional countries where the courts of justice are not free; although these limitations are stated in the speech. The country is simply informed by the resolution, as it was adopted, that, so far as foreign nations are concerned, the future rule of the Government of England is to be, that, in all cases, and under all circumstances, British subjects are to have the protection only which the law and the tribunals of the land in which they happen to be may give them.

No! I deny that proposition; and I say it is doctrine on which no British Minister ever yet has acted, and on which the people of England never will suffer any British Minister to act. Do I mean to say that British subjects abroad are to be above the law, or are to be taken out of the scope of the laws of the land in which

they live? I mean no such thing; I contend for no such principle. Undoubtedly, in the first instance, British subjects are bound to have recourse for redress to the means which the law of the land affords them, when that law is available for such a purpose. That is the opinion which the legal advisers of the Crown have given in numerous cases; and it is the opinion on which we have founded our replies to many applications for our interposition in favor of British subjects abroad.'

* * * * * * *

I say then, that if our subjects abroad have made complaints against individuals, or against the government of a foreign country, if the courts of law of that country can afford them redress, then, no doubt, to those courts of justice the British subject ought in the first instance to apply; and it is only on a denial of justice, or upon decisions manifestly unjust, that the British Government should be called upon to interfere. But there may be cases in which no confidence can be placed in the tribunals, those tribunals being, from their composition and nature, not of a character to inspire any hope of obtaining justice from them. It has been said, "We do not apply this rule to countries

whose governments are arbitrary or despotic, because there the tribunals are under the control of the government, and justice cannot be had; and, moreover, it is not meant to be applied to nominally constitutional governments where the tribunals are corrupt." But who is to be the judge, in such a case, whether the tribunals are corrupt or not? The British Government, or the Government of the state from which you demand justice?

I will take a transaction that occurred not long ago, as an instance of a case in which, I say, the people of England would not permit a British subject to be simply amenable to the tribunals of the foreign country in which he happened to be. I am not going to talk of the power of sending a man arbitrarily to Siberia; nor of a country the constitution of which vests despotic power in the hands of the sovereign. I will take a case which happened in Sicily, where, not long ago, a decree was passed that any man who was found with concealed arms in his possession should be brought before a court-martial, and, if found guilty, should be shot. Now, this happened. An innkeeper of Catania was brought before a court-martial, and accused under this law by some police officers,

who stated that they had discovered in an open bin, in an open stable in his inn-yard, a knife which they denounced as a concealed weapon. Witnesses having been examined, the counsel for the prosecution stated that he gave up the case, as it was evident there was no proof that the knife belonged to the man, or that he was aware it was in the place where it was found. The counsel for the defendant said that such being the opinion of the counsel for the prosecution, it was unnecessary for him to go into the defence, and he left his client in the hands of the court. The court, however, nevertheless pronounced the man guilty of the charge brought against him, and the next morning the man was shot.

Now what would the English people have said if this had been done to a British subject? And yet everything done was the result of a law, and the man was found guilty of an offence by a tribunal of the country.

I say, then, that our doctrine is that, in the first instance, redress should be sought from the law courts of the country; but that in cases where redress cannot be so had—and those cases are many—to confine a British subject to that remedy only, would be to deprive him of

the protection which he is entitled to receive.

Then the question arises, how does this rule apply to the demands we have made upon Greece? And here I must shortly remind the House of the origin of our relations with Greece, and of the condition of Greece; because those circumstances are elements that must enter into the consideration of the course we have pursued.

It is well that Greece revolted from Turkey in 1820. In 1827, England, France, and Russia determined upon interposing, and ultimately, in 1828, they resolved to employ forcible means in order to bring Turkey to acknowledge the independence of Greece. Greece, by protocol in 1830, and by treaty in 1832, was erected into a separate and independent state. And whereas nearly from the year 1820 up to the time of that treaty of 1832, when its independence was finally acknowledged, Greece had been under a Republican form of government, with an Assembly and a President, the three Powers determined that Greece should thenceforth be a monarchy. But while England assented to that arrangement, and considered that it was better that Greece should assume a monarchical form of government, yet we attached to that assent an

indispensable condition, that Greece should be a constitutional monarchy. The British Government could not consent to place the people of Greece, in their independent political existence, under as arbitrary a government as that from which they had revolted. Consequently, when the three Powers, in the exercise of that function which had been devolved upon them by the authority of the General Assembly of Greece, chose a sovereign for Greece, (for that choice was made in consequence of, and by virtue of the authority given to them by the General Assembly of Greece), and when Prince Otho of Bavaria, then a minor, was chosen; the three Powers, on announcing the choice they had made, at the same time declared King Otho would, in concert with his people, give to Greece constitutional institutions.

The choice and that announcement were ratified by the King of Bavaria in the name, and on the behalf of his son. It was, however, understood, that during the minority of King Otho, the establishment of the constitution should be suspended; but that when he came of age, he should enter into communication with his people, and, together with them, arrange the form of constitution to be adopted.

King Otho came of age, but no constitution was given. There was a disinclination on the part of his advisors to counsel him to fulfil that engagement. The Government of England expressed an opinion, through various channels, that that engagement ought to be fulfilled. But opinions of a different kind reached the royal ear from other quarters. Other governments, naturally—I say it without implying any imputation—are attached to their own forms. Each government thinks its own form and nature the best, and wishes to see that form, if possible, extended elsewhere. Therefore, I do not mention this with any intention of casting the least reproach upon Russia, or Prussia, or Austria. Those three governments at that time were despotic. Their advice was given and their influence was exerted to prevent the King of Greece from granting a constitution to his people. We thought, however, that in France we might find sympathy with our political opinions, and support in the advice which we wished to give. But we were unfortunate. The then Government of France, not at all undervaluing constitutional institutions, thought that the time was not yet come when Greece could be ripe for representative government.

The King of Bavavia leaned also to the same side. Therefore, from the time when the King came of age, and for several years afterward, the English Government stood in this position in Greece with regard to its government—that we alone were anxious for the fulfilment of the engagement of the King, while all the other Powers who were represented at Athens were averse to its being made good, or at least were not equally desirous of urging it upon the King of Greece. This necessarily placed us in a situation, to say the least of it, of disfavor on the part of the agents of those Powers, and on the part of the Government of Greece. I was sorry for it; at the same time, I don't think the people of this country will be of opinion that we ought, for the sake of obtaining the mere goodwill of the Greek Government, to have departed from the principle which we had laid down from the beginning. But it was so; and when people talk of the antagonistic influences which were in conflict at the Greek Court; and when people say, as I have heard it said, that our Ministers, and the Ministers of foreign governments, were disputing about the appointment of *mirarchs* and *nomarchs*, and God knows what petty officers of the state, I say that, as

far as our Minister was concerned, that is a statement entirely at variance with the fact. Our Minister, Sir Edmund Lyons, never, during the whole time he was in Greece, asked any favor of any sort or kind, for himself, or for any friend. No conduct of that mean and low and petty description was carried on by any person connected with the English Government. It was known that we wished the Greek nation should have representative institutions, while, on the other hand, other influences were exerted the other way; and that, and that only, was the ground of the differences which existed.

One of the evils of the absence of constitutional institutions was that the whole system of government grew to be full of every kind of abuse. Justice could not be expected where judges of the tribunals were at the mercy of the advisers of the Crown. The finances could not be in any order where there was no public responsibility on the part of those who were to collect or to spend the revenue. Every sort of abuse was practised.

In all times in Greece, as is well known, there has prevailed, from the daring habits of the people, a system of compulsory appropriation—forcible appropriation by one man of that which

belonged to another; which, of course, is very disagreeable to those who are the victims of the system, and exceedingly injurious to the social condition, improvement, and prosperity of the country. In short, what foreigners call brigandage, which prevailed under the Turkish rule, has not, I am sorry to say, diminished under the Greek sovereignty. Moreover, the police of the Greek Government have practised abuses of the grossest description; and if I wanted evidence on that subject, I could appeal to the honorable gentleman who has just sat down, who, in a pamphlet, which all must have read, or ought to read, has detailed the instances of barbarity of the most revolting kind practised by the police. I have here depositions of persons who have been subjected to the most abominable tortures which human ingenuity could devise — tortures, inflicted upon both sexes, most revolting and disgusting. One of the officers, a man of the name of Tzino, at the head of the police, was himself in the habit of inflicting the most diabolical tortures upon Greeks and upon foreigners, Turks, and others. This man Tzino, instead of being punished as he ought to have been, and as he deserved to be, not only by the laws of nature, but by the laws

of Greece—this person, I am sorry to say, is held in great favor in quarters where he ought to have received nothing but marks of indignation.

Well, this being the state of things in Greece, there have always been in every town in Greece, a great number of persons whom we are bound to protect—Maltese, Ionians, and a certain number of British subjects. It became the practice of this Greek police to make no distinction between the Maltese and Ionians, and their fellow-subjects. We shall be told, perhaps, as we have already been told, that if the people of the country are liable to have heavy stones placed upon their breasts, and police officers to dance upon them; if they are liable to have their own heads tied to their knees, and to be left for hours in that state; or to be swung like a pendulum, and to be bastinadoed as they swing, foreigners have no right to be better treated than the natives, and have no business to complain if the same things are practised upon them. We may be told this, but that is not my opinion, nor do I believe it is the opinion of any reasonable man. Then, I say, that in considering the case of the Ionians, for whom we demand reparation, the House must look at

and consider what was the state of things in this respect in Greece; they must consider the practices that were going on, and the necessity of putting a stop to the extension of these abuses to British and Ionian subjects by demanding compensation, scarcely indeed more than nominal in some cases, but the granting of which would be an acknowledgement that such things should not be done toward us in the future.

In discussing these cases, I am concerned to have to say that they appear to me to have been dealt with elsewhere in a spirit and in a tone which I think was neither befitting the persons concerning whom, nor the persons by whom, nor the persons before whom the discussion took place. It is often more convenient to treat matters with ridicule than with grave argument; and we have had serious things treated jocosely; and grave men kept in a roar of laughter, for an hour together, at the poverty of one sufferer, or at the miserable habitation of another; at the nationality of one injured man, or at the religion of another; as if because a man was poor he might be bastinadoed and tortured with impunity; as if a man who was born in Scotland might be robbed without

redressal, or because a man is of the Jewish persuasion, he is fair game for any outrage." It is a true saying and has often been repeated, that a very moderate share of wisdom is sufficient for the guidance of human affairs. But there is another truth, equally indisputable, which is, that a man who aspires to govern mankind ought to bring to the task generous sentiments, compassionate sympathies, and noble and elevated thoughts.

Now, sir, with regard to these cases, I would take first that which I think would first present itself to the mind of an Englishman—I mean the insult offered by the arrest of the boat's crew of her Majesty's ship *Fantôme*. The time has been when a man aspiring to a public situation would have thought it his duty to vindicate the honor of the British navy. Times are changed. It is said that in this case there were only a few sailors taken out of a boat by some armed men—that they were carried to the guard-house, but were soon set at liberty again—and why should we trouble our heads about so small a matter? But did we ask anything extraordinary or unreasonable on account of this insult? What we asked was an apology. I really did not expect to live to see the day,

when public men in England could think that in requiring an apology for the arbitrary and unjustifiable arrest of a British officer and British seamen in the performance of their duty, we were making a demand "doubtful in its nature, and exaggerated in its amount." Now, what is the history of this case? For circumstances have been referred to, in connection with it, which do not appear from the statement of the case itself. The son of the Vice-Consul, who had dined on board the *Fantôme*, was taken ashore in the evening by the coxswain and a boat's crew, and landed on the beach. The coxswain accompanied the young gentleman to his father's house, and on returning to the boat was taken prisoner by the Greek guard. The guard went down to the boat, and, finding the seamen in it were without arms, began thumping them with the butt-ends of their muskets, and wounded one man in the hand by a thrust of a bayonet. The guard then took the seamen prisoners, and carried them to the guard-house, where after a certain time they were released through the interposition of the Vice-Consul, and they returned to their ship. Excuses were given for this proceeding, and the gist of them was this—that the guard thought

the boat belonged to the *Spitfire*, and that it had been seen landing rebels, one of whom had escaped;—this supposed rebel being a boy of fourteen years old, who had returned quietly to his father's house.

The matter to which these excuses related occurred a little while before, in consequence of the disorganized state of Greece—a disorganization, by the by, which arises entirely from the acts of the Government: because it has been, and still is, the practice of the Government, instead of punishing brigands, to give amnesty to and pardon them; and, indeed, it is even supposed that the officers of the police sometimes go shares in the plunder. That, however, is a matter of opinion; but it is a fact that the robbers are almost always pardoned; and such is the encouragement thereby given to the system of plunder that the robbers go about armed, in bands, and sometimes actually attack and occupy towns.

An instance of this kind happened at Patras. Merenditi, the leader of a band of robbers, attacked Patras; the governor had an armed force under his orders; but, whether from a determination to follow the example set by the government of showing deference to the robbers,

or because he thought that discretion is the better part of valor, he fled, and left the town to the mercy of the banditti. The inhabitants, finding themselves deserted by their natural defenders, threw themselves on the protection of the foreign consular body, and begged and intreated that the Consuls would intercede for them, and make some arrangement with the robbers. Our Consul accordingly, at the intercession and with the authority of the principal inhabitants of Patras, entered into an arrangement with the leader of the robbers, by which that leader consented to forego the plunder of the town, on condition that he should receive a certain sum of money and be conveyed away from the town in safety by one of the British ships of war. The people of Patras were thankful. The money required by the robbers, which was reduced by negotiation to one half of their original demand, was collected and deposited in the hands of the Vice-Consul. Merenditi marched down to the quay to embark; when the governor, who had run away from danger, now advanced boldly with his men, and endeavored to attack the robbers' rear-guard, and to take some of them prisoners before they could embark. Our

officers, however, said, "No. There is not only honor amongst thieves, but honor to be observed towards thieves. We were asked to make an arrangement, and to give our guarantee—we will abide by that guarantee, and protect this man and his band." Accordingly he was protected, and went off with the ransom paid by the inhabitants of the town. This was the matter which was alluded to, when the Greek authorities said that the guard supposed the boat's crew, whom they had made prisoners, had been landing rebels from the *Spitfire*—they pretended to suppose that the boat had landed some of Merenditi's band. Surely no defence is necessary for having demanded an apology for an insult offered the British navy. I am induced to believe that the governments of other countries would have taken more severe measures under similar circumstances.

I now come to the case of the Ionians who were plundered in the custom-house at Salcina. These men were passing by in boats; they were summoned to go in by the officer in command, and, when in, they were robbed. The men who robbed them were dressed like soldiers, but were said to be banditti. The customs officer

alleged that he was beaten by the robbers, and compelled by them to order the Ionians to enter the custom-house. It must be remembered, however, that a Greek vessel lying in the custom-house was not plundered; while the Ionians were plundered, stripped of their clothes, and severely beaten. It is absurd to compare a case of this kind with that of travellers attacked by robbers in passing through a country.

If the government officer was not acting in connivance with the robbers, still, when foreigners were decoyed into a Greek custom-house by one of its officers, and were there beaten and plundered, the Greek Government must be held responsible for what was done. This, however, is said to be a case in which the unhappy Ionian boatmen ought to have gone to law. I should like to know whom they could have prosecuted? In this instance, our demand was moderate; we asked nothing for the indignity and injury the men suffered, but simply the amount of which they had been robbed.

I next come to the case of the two Ionians who, very innocently, as they imagined, on a national festival, according to the custom of their own country, ornamented their little booths, in which they sold trifling articles, with

flags. The police interfered and took down the flags. Some discussion arose about indignity offered to the British flag. The matter was not satisfactorily explained, but we let it drop. We did not insist on that; and, if that had been all, nothing further would have been said. But the Ionians were arrested, manacled and thumbscrewed; and in that state paraded through the town, and put in prison. It was said, "How could they go to prison except through the streets?" True; but there was no necessity for taking them through streets which did not lie in their way. They were paraded, by way of insult, through the streets of Patras, and dismissed next day, because no charge could be maintained against them. Then it was said that the application of the thumbscrew had not maimed them for life. Had that indeed been the case, the men would have been entitled to compensation; but for a very little thumbscrewing, applied during an evening walk, no compensation ought to have been required. I am of a different opinion. Thumbscrews are not as easy to wear as gloves, which can be put on and pulled off at pleasure. We therefore felt it necessary to require, in this case, the moderate compensation of £20 each, for the

men who had been ill treated; and the more so, because of the habitual infliction of torture by the police.

Then came the case of two men, whose houses being infested by disagreeable insects, thought proper in hot weather to sleep in the streets. They were taken up by the police, carried before an officer, and severely flogged with a whip in the sight of persons who deposed to the fact. What right had the Greek authorities to flog these men? They had committed no offence; there had been no trial, no condemnation, no sentence. In this case, also, compensation was demanded, as a token that persons under British protection cannot be ill treated with impunity.

Then I come to the case of Mr. Finlay.[11] It is said that he is a "cannie Scot"; that he speculated in land, buying in the cheapest, and wishing to sell in the dearest market. His land was taken by the King of Greece, for purposes of private enjoyment. Nobody will deny that it is fitting the Sovereign of Greece should have a palace; and, if it was necessary to take Mr. Finlay's ground for site, or for the garden attached to it — Mr. Finlay himself made no objection to that. All that Mr. Finlay wanted

was to be paid for his land at a very cheap rate. That was a matter with which the Greek Government had nothing to do; they had only to pay Mr. Finlay what was the value of the land at the time when they took it from him.

The conduct of the Greek Government in Mr. Finlay's case was very different from that of Frederick the Great in a similar case towards one of his subjects, a man of humble rank. This man refused to sell his sovereign a little bit of ground on which a windmill stood, the ground being necessary for the completion of a magnificent plan of residence for the monarch. The conduct of the King of Prussia was very different from that of the King of Greece. The King of Prussia, though a conqueror in the field and the absolute monarch of a great country, respected the rights of a subject however humble; and not only left the monument of the independence of his subject, standing in the midst of his ornamented grounds, but used to point to it with pride, feeling that it was proof that though he was great and powerful, he knew how to respect the rights of the meanest. For fourteen long years Mr. Finlay was driven from pillar to post, put off with every sort of shuffling and evasive excuse, and deprived of

compensation for his land, unless he would take what was wholly inadequate.

In 1843 came a revolution. Till 1843 the Greek Government had continued arbitrary; the King declining, under the circumstances I have mentioned, to grant a constitution. In 1843 the patience of the Greeks was exhausted. They rose in Athens, and extorted by force that which had been refused to reason. When the constitution was granted, courts of justice were established, which were not indeed independent, because the judges were liable, not only to be removed from one court to another, but to be entirely dismissed at the will of the sovereign; still in 1843 there were courts to which Mr. Finlay might, as it has been stated, have applied. But they were of no competence with respect to events which had happened before their creation. Mr. Finlay, therefore, had no remedy. But I have heard it most triumphantly, distinctly, positively asserted, that this case exhibits the bad faith of the English Government; for that at the time when Mr. Wyse made his demands on the Greek Government, we and he knew the case of Mr. Finlay was absolutely, finally, and conclusively settled. No such thing. That is an assertion absolutely,

finally, and conclusively at variance with the truth.

There had been an agreement made for arbitration in this case; and a most curious sample it affords of the manner in which things are carried on in Greece. Mr. Finlay said, "I will submit my claim to arbitration." "By all means," was the reply of the Greek Government; "you shall have one arbiter and we another." But Mr. Finlay has been described as a "cannie Scot," and looking far into the future, he foresaw a possibility, which might have struck a man even not so far north, that the two arbiters might differ; and he suggested that an umpire be appointed. The Greek Government said, "You are quite right." But Mr. Finlay, being a sensible man, did not like to submit his case to a tribunal where there would be two to one against him, and so he declined the arbitration. The Greek Government then gave up this unreasonable proposal, which they had made just as if it had been quite a matter of course, and a commission of arbitration was agreed upon, consisting of two respectable people, and an umpire properly appointed. If that arbitration had gone on, and the money awarded by it had been paid, Mr. Finlay's case

would have been absolutely, finally, and conclusively settled. But by the law of Greece, arbiters so appointed must pronounce an award within three months, or, if they don't, then the arbitration falls and drops to the ground. The commissioners could not make their award without certain documents, which could only be furnished by an officer of the Greek Government. This officer, by some unfortunate accident, did not furnish them, and the arbitration fell to the ground by efflux of time.

Therefore, when Baron Gros came to inquire into the matter, he found this case just as it had been when Mr. Finlay first made his complaint. Baron Gros said to Mr. Finlay, "Why, your claim is settled." "Settled? No," said Mr. Finlay. "Why, have you not received your money?" "Not a farthing; and I don't know what amount I am to receive." In short, his case was exactly in the same state in which it was before the arbitration had been agreed to.

That was a case in which we made no specific demand. The only specific demand was, that Mr. Finlay should receive whatever the value of his land should be found to be. We fixed no sum: we were unable to fix any; and the sum he received afterward was the amount

which the two arbiters, one named by Mr. Finlay, the other by the Greek Government, were prepared to award, splitting the difference between their respective estimates. I don't think that in that case, the claim was either doubtful in justice, or exaggerated in amount.

Then we came to the claim of M. Pacifico—a claim which has been the subject of much unworthy comment. Stories have been told, involving imputations on the character of M. Pacifico; I know nothing of the truth or falsehood of these stories. All I know is that M. Pacifico, after the time to which those stories relate, was appointed Portuguese Consul, first to Morocco and afterward to Athens. It is not likely that the Portuguese Government would select for appointments of that kind, a person whose character they did not believe to be above reproach. But I say, with those who have before had occasion to advert to the subject, that I don't care what M. Pacifico's character is. I do not, and cannot admit, that because a man may have acted amiss on some other occasion, and in some other matter, he is to be wronged with impunity by others.

The rights of a man depend on the merits of the particular case; and it is an abuse of

argument to say that you are not to give redress to a man, because in some former transaction he may have done something which is questionable. Punish him if you will—punish him if he is guilty, but don't pursue him as a Pariah through life.

What happened in this case? In the middle of the town of Athens, in a house which I must be allowed to say is not a wretched hovel, as some people have described it;—but it does not matter what it is, for whether a man's home be a palace, or a cabin, the owner has a right to be there safe from injury—well, in a house which is not a wretched hovel, but which in the early days of King Otho was, I am told, the residence of the Count Armansperg, the Chief of the Regency—a house as good as the generality of those which existed in Athens before the sovereign ascended the throne—M. Pacifico, living in this house within forty yards of the great street, within a few minutes' walk of a guard-house where soldiers were stationed, was attacked by a mob. Fearing injury, when the mob began to assemble, he sent an intimation to the British Minister, who immediately informed the authorities. Application was made to the Greek Government for protection. No

protection was afforded. The mob, in which were soldiers and *gens d'armes*, who, even if officers were not with them, ought, from a sense of duty, to have interfered and to have prevented plunder—the mob headed by the sons of the Minister of War, not children eight or ten years old, but older—that mob, for nearly two hours, employed themselves in gutting the house of an unoffending man, carrying away or destroying every single thing the house contained, and left it a perfect wreck.

Is not that a case in which a man is entitled to redress from somebody? I venture to think it is. I think that there is not a civilised country where a man subject to such grievous wrong, not to speak of the insults and injuries to the members of his family, would not justly expect redress from some quarter or other. Where was he to apply for redress at Athens? The Greek Government neglected its duty, and did not pursue judicial inquiries, or institute legal prosecutions as it might have done for the purpose of finding out and punishing some of the culprits. The sons of the Minister of War were pointed out to the Government as actors in the outrage. The Greek Government were told to "search a particular house; and that

some part of M. Pacifico's jewels would be found there." They declined to prosecute the Minister's sons, or to search the house. But, it is said, M. Pacifico should have applied to a court of law for redress. What was he to do? Was he to prosecute a mob of five hundred persons? Was he to prosecute them criminally, or in order to make them pay the value of his loss? Where was he to find his witnesses? Why, he and his family were hiding or flying, during the pillage, to avoid the personal outrages with which they were threatened. He states that his own life was saved by the help of an English friend. It was impossible, if he could have identified the leaders, to have prosecuted them with success.

But what satisfaction would it have been to M. Pacifico, to have succeeded in a criminal prosecution against the ringleaders of the assault? Would that have restored to him his property? He wanted redress, not revenge. A criminal prosecution was out of the question, to say nothing of the chances, if not the certainty, of failure, in a country where the tribunals are at the mercy of the advisers of the Crown, the judges being liable to be removed, and being often actually removed upon grounds of private and personal feeling. Was he to

prosecute for damages? His action would have lain against individuals, and not, as in this country, against the hundred." Suppose he had been able to prove that one particular man carried off one particular thing, or destroyed one particular article of furniture; what redress could he anticipate by a lawsuit, which, as his legal advisers told him, it would be vain for him to undertake? M. Pacifico truly said, "If the man I prosecute is rich, he is sure to be acquitted; if he is poor, he has nothing out of which to afford compensation if he is condemned."

The Greek Government having neglected to give protection they were bound to extend, and having abstained from taking means to afford redress, this was a case in which we were justified in calling on the Greek Government for compensation for the losses, whatever they might be, which M. Pacifico had suffered. I think that claim was founded in justice. The amount we did not pretend to fix. If the Greek Government had admitted the principle of the claim, and had objected to the account sent in by M. Pacifico—if they had said, "This is too much, and we think a less sum sufficient," that would have been a question open to

discussion, and which our Ministers, Sir E. Lyons at first, or Mr. Wyse afterwards, would have been ready to have gone into, and no doubt some satisfactory arrangement might thus have been effected by the Greek Government. But the Greek Government denied altogether the principle of the claim. Therefore, when Mr. Wyse came to make the claim, he could not but demand that the claim should be settled, or be placed in train of settlement, and that within a definite period, as he fixed it, of twenty-four hours.

Whether M. Pacifico's statement of his claim was exaggerated or not, the demand was not for any particular amount of money. An investigation might have been instituted, which those who acted for us were prepared to enter into, fairly, dispassionately, and justly.

M. Pacifico having, from year to year, been treated either with answers wholly unsatisfactory, or with a positive refusal, or with pertinacious silence, it came at last to this, either that his demand was to be abandoned altogether, or that, in pursuance of the notice we had given the Greek Government a year or two before, we were to proceed to use our own means of enforcing the claim. "Oh! but," it is said, "what

an ungenerous proceeding to employ so large a force against so small a power!" Does the smallness of a country justify the magnitude of its evil acts? Is it held that if your subjects suffer violence, outrage, plunder, in a country which is small and weak, you are to tell them when they apply for redress, that the country is so weak and so small that we cannot ask it for compensation? Their answer would be, that the weakness and smallness of the country make it so much the more easy to obtain redress. "No," it is said, "generosity is to be the rule." We are to be generous to those who have been ungenerous to you; and we cannot give you redress because we have such ample and easy means of procuring it.

Well, then, was there anything so uncourteous in sending, to back our demands, a force which should make it manifest to all the world that resistance was out of the question? Why, it seems to me, on the contrary, that it was more consistent with the honor and dignity of the Government on whom we made those demands, that there should be placed before their eyes a force, which it would be vain to resist, and before which it would be no indignity to yield. If we had sent merely a frigate and

a sloop of war, or any force with which it was possible their forces might have matched, we should have placed them in a more undignified position by asking them to yield to so small a demonstration. Therefore, so far from thinking that the amount of the force which happened to be on the spot was any aggravation of what was called the indignity of our demand, it seems to me that the Greek Government, on the contrary, ought rather to have considered it as diminishing the humiliation, whatever it might be, of being obliged to give at last to compulsion, that which had been so long refused to entreaty.

Well, then, however, did we, in the application of that force, either depart from established usage, or do anything that was unnecessarily pressing on the innocent and unoffending population of Greece? I say the innocent and unoffending population, because it was against the Government, and not against the nation, that our claim for redress was directed. The courses that may be pursued in cases where wrong is done by one Government towards the subjects of another are various. One is what is commonly called "reprisals"; that is, the seizing something of value, and holding it in deposit until your

demands are complied with; or, if you fail in that and don't choose to resort to other methods, applying that which you have seized, as a compensation for the wrong sustained. That is one method. Another is the modified application of war—such as a blockade—a measure frequently adopted by the governments of maritime states when they demand redress for injuries. Last come actual hostilities. Many instances of such measures have been quoted in this debate as having been adopted by the governments of other countries, especially by the French Government, when they have had a demand to make for injuries sustained by their subjects; and, by the by, when people complain of the peremptory manner in which our demand was made, and the shortness of the time allowed for consideration, I wish to call to the recollection of the Honorable Gentlemen what was done by the French squadron no longer ago than 1848.

There was an insurrection at Naples, in May, 1848. The great street of the town was filled with barricades, and the troops had to force those barricades. To do that, they were obliged to occupy the houses right and left, in order to turn those defences; and as they forced one

house after another, and passed on from house to house, they neglected to leave any guards behind them. They were followed by the Lazzaroni,[19] and the houses were plundered. Some French people whose shops were thus rifled, complained to the French Minister, and to the French Admiral—there being then a French squadron before the port at Naples. The French Admiral, Admiral Baudin, quite cut out Sir W. Parker, and being applied to by those French citizens, he sails up the bay, lays his ships broadside to, in front of the palace, and writes a note to the Government to say, that he has been called on by his countrymen to protect them; and he adds—that letter being dated half-past one on the 17th of May—that unless by three o'clock of that very day he obtains a satisfactory assurance—a satisfactory assurance that his countrymen shall be efficiently protected, reserving, he says, for future discussion their claims for compensation—but—

"Unless in one hour and a half I get, on board this ship, a satisfactory assurance that they shall be efficiently protected, I shall land the crews of my fleet, and will take care of them myself."

Well, then, I say that Sir W. Parker acted with the greatest moderation in enforcing our demands. He began with reprisals, not with a blockade, wishing to avoid all unnecessary interruption to the commerce of other countries. But he made reprisals in a way which I believe has not often been adopted. The Government was the offending party, and he took possession of vessels belonging to the Government. Now, that is not the usual plan, and for very good reasons.

Vessels belonging to governments are armed. They may feel it to be their duty to defend themselves. To seize armed vessels would probably lead to bloodshed; and reprisals are generally effected by seizing merchant vessels belonging to the country on whom the demand is made. But, the disparity of force being so great on this occasion, Sir W. Parker began by seizing the few armed vessels belonging to the state. He then gave the Government time to reflect upon that demonstration. It was not attended to. Even then he did not immediately proceed to make reprisals upon merchant vessels. He first laid an embargo upon them. He gave notice that he had placed a lien upon them, and that they must not quit their ports.

That failed; then he took merchant vessels, but only a limited number, and placed them under the custody of his fleet, avoiding to subject commerce in general to any greater degree of restraint than was unavoidably necessary for the execution of his instructions. It has been said, that we seized upon fishing-boats, and interrupted the coasting trade. I don't believe that. On the contrary, I believe that the embargo did not extend to fishing-boats, or to vessels of small tonnage employed in the coasting trade of the country.

Well, sir, in that state of things, the French Government offered us their good offices and mediation. We readily and cheerfully accepted their good offices. We accepted them by a note of the 12th of February, which has been laid on the table, and in which we distinctly stated the grounds and conditions on which, and the extent to which, those good offices were accepted.

There could be no mistake between the English and French Governments upon that point. We took as our precedent the course that was pursued in the sulphur questions at Naples, when M. Thiers was Minister. In that case, we stated that reprisals would be suspended

the moment any French Minister on the spot declared himself authorized to negotiate. In the said present case we went further, and said, that the moment the good offices of France were officially offered and officially accepted, we would send out instructions that the further making of reprisals should be suspended. In both cases we said we could not release the ships that had been detained, because by so doing we should give up the security which we held in our hands against the offending Government.

It has been stated that a misunderstanding arose between the Governments of France and England, in the course of the mediation, good offices, or whatever it may be called. I cannot say that there was any misunderstanding between M. Drouyn de Lhuys and myself, because it will be seen from his own despatches laid before the French Chamber, that he clearly understood the conditions on which the good offices of France were accepted. He repeatedly states that England gives up none of her demands—that is to say, that she gives up none of the principles of her demands; and that the only questions which the French negotiator is competent to discuss are those which did not

involve the negation of the principles of our demands. Well, what were those questions? They were only the amount of money to be given to Mr. Finlay and to M. Pacifico, but not the question whether those gentlemen were to receive anything or nothing.

Then the question arose between us, what were the circumstances under which the good offices were to cease, and coercive measures were to be resumed; and it was distinctly understood on my part, as well as on that of M. Drouyn de Lhuys, that Mr. Wyse was not to take upon himself to determine when Baron Gros's mission had failed; and that it was only when Baron Gros should have announced that his mission had ceased, that Mr. Wyse was to resume coercive measures. It was further agreed between us, and especially on the 9th of April, that if a difference of opinion arose between Baron Gros and Mr. Wyse, on those points which Baron Gros was competent to discuss, Mr. Wyse was not to stand absolutely on his difference, and that if he did not find it possible to give way, he was, instead of saying, "Now, Baron Gros, your mission is at an end," to refer home for further instructions. It is said that it was wrong of me not to have sent out

to Mr. Wyse information of that understanding, come to on the 9th of April with M. Drouyn de Lhuys. Well, but in the first place I had already sent to Mr. Wyse, on the 25th of March, instructions which, if acted on in the spirit in which they were written, would render such a reference home altogether unnecessary. And they did render such reference home altogether unnecessary; because at last, when Baron Gros and Mr. Wyse came to the point of difference as to the amount of money to be paid, and Baron Gros said, "I would counsel the Government of Greece to pay 150,000 drachmas," while Mr. Wyse said he was ready to accept 180,000 drachmas, Mr. Wyse at last, much more prudently than if he had referred this difference home, and had exposed Greek commerce to the restraint to which a continuance of the *status quo* would have subjected it for a whole month, said, "I will, if other things are agreed to, come down to your amount—I will waive my opinion, and accept the sum you are willing to recommend the Greek Government to give." Therefore, practically, I say, and in the result, the case did not arise to which those instructions could have applied.

Those instructions, if they had reached Mr.

Wyse, would not have applied to the difference which did arise between him and Baron Gros; for that difference was this—it turned upon the claims of M. Pacifico. Baron Gros, on the 16th of April, was willing to recommend to the Greek Government to take an engagement to investigate the claims of M. Pacifico, in regard to the destruction of his Portuguese documents; and to pay him whatever might be the amount which, upon investigation, he might prove to be entitled to on that account; and to make a deposit of 150,000 drachmas as a pledge for the good faith with which they would execute that engagement. The only difference between Baron Gros and Mr. Wyse upon that occasion was, that Baron Gros proposed that the deposit, which they had both agreed should consist of shares of the Bank of Athens, should be left in the Bank of Athens; whereas Mr. Wyse required that it should be deposited either in the Bank of England, or, if the Greek Government preferred it, in the Bank of France. That seemed to be a difference that might be easily settled. But, on the 22d of April, Baron Gros altered his opinion. He retracted his opinion upon that point, and stated that later information from Portugal had convinced him,

that M. Pacifico's claim, in reference to the destruction of his Portuguese documents, was wholly unfounded. Baron Gros said he would no longer consent to recommend the Greek Government to enter into any engagement to pay anything to M. Pacifico on that account. He would agree to an investigation, but only provided that Portugal, and not the Greek Government should pay what might turn out to be due. But this was a point which Baron Gros was not competent to discuss. This new view of his would have been a negation of the principle upon which one of our claims rested; and, there being a difference of that kind between Mr. Wyse and Baron Gros, Mr. Wyse had no occasion to refer for fresh instructions—for he had received detailed instructions from me in a despatch, dated the 25th of March, sufficient to guide his conduct upon that point.

Baron Gros then withdrew from the negotiation, and that withdrawal was officially communicated, not only to Mr. Wyse, but to the Greek Government also. On the 24th, however, he received a despatch from General Lahitte, giving an account of the conversation which had passed between me and M. Drouyn de Lhuys, on the 9th; an account, by the way,

which was not quite accurate, because it made me say that if any difference arose between Baron Gros and Mr. Wyse, Mr. Wyse should refer home for instructions; whereas all that I agreed to was, that such reference should be made in the case of irreconcilable difference between them, as to the amount of money to be paid by the Greek Government for those claims in regard to which we had not specified fixed sums; that is to say, for Mr. Finlay's land and for M. Pacifico's losses of furniture and goods at Athens. Baron Gros then proposed to withdraw the note, by which he announced officially the cessation of his functions, and he asked that his draft of arrangement, together with Mr. Wyse's draft, should be referred to London for decision.

An impression has gone abroad that on that occasion (the 24th), Baron Gros received, and communicated to Mr. Wyse, not merely an account of the conversation between me and M. Drouyn de Lhuys on the 9th of April, but an account of the essential basis and an announcement of the expected arrival of the draft of convention which had been proposed to me by M. Drouyn de Lhuys for the first time on the 15th, discussed on the 16th, agreed

to on the 18th, and sent off on the 19th; and Mr. Wyse is greatly blamed by many persons, both here and in France, upon the assumption that, whereas Baron Gros had informed him, on the 24th of April, that the English and French Governments had come to an agreement as to the essential bases of the convention to be signed between England and Greece, and had moreover told him that the convention itself would shortly be received at Athens—yet nevertheless, with this knowledge of the facts, he renewed coercive measures, and compelled the Greek Government to yield to his own demands. This assertion, so far as Mr. Wyse is concerned, is positively untrue. It is totally and wholly untrue. He received no communication from Baron Gros on the 24th, and none earlier than the 2d of May, relative to the draft of the convention agreed upon in London. Whether Baron Gros received the information or not on the 24th by the *Vauban*, I leave to be settled between him and his Government. The explanations of General Lahitte would indeed lead to the inference that he did not.

The statement to which I refer was made by "our own correspondent" of the *Times*. I

may say, in passing that one person who has spoken on this subject elsewhere, has had the substance of his speech claimed publicly by the *Morning Herald* as a compilation from its leading articles; and another has obviously been more indebted to the *Times* than to the blue books for the statements on which he has founded his assertions. But the correspondent of the *Times* stated distinctly, and upon that statement public opinion in this country has been formed, that Baron Gros did inform Mr. Wise on the 24th, that he had received by the *Vauban* a statement announcing the London convention, and that, in spite of that information, Mr. Wyse resumed coercive measures. I understand that the French Government say that this is an entire mistake; that no information respecting the convention could have been communicated to Mr. Wyse on the 24th, because Baron Gros did not receive any by the *Vauban*, which arrived on that day. The complaint, therefore, against Mr. Wyse, come from what quarter it may, and I have no doubt it was sincerely believed at the moment it was made, that complaint can no longer be maintained, and is withdrawn.

With respect to the other complaint, that I

did not write to Mr. Wyse an account of what had passed on the 9th of April, the simple reason why I did not was, that he was already in possession of instructions which were sufficient; that I could not have written till the 17th, and that on the 15th another arrangement was proposed, which provided an immediate settlement on the spot, and which therefore rendered any further reference to me by him out of the question. But it was said that if the French Government could have sent information to Baron Gros by the *Vauban*, why could not we have sent at the same time similar information to Mr. Wyse? Why, solely because we were in London, and the French Government was in Paris, and that if a steamer had been despatched by us from Portsmouth, it could not have got round to Athens so soon as a steamer despatched by the French Government from Marseilles or Toulon. But, as I have said, the convention of the 15th having been agreed to, all further reference to me by Mr. Wyse, was rendered unnecessary, because that convention was to be presented as an ultimatum to the Greek Government, by the British and French diplomatic agents.

And when it is said that those demands of

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ours on the Greek Government were so much repudiated by the Government of Russia and of France; and that by putting forward those claims we ran the risk of involving this country in a war with those Powers, I must be permitted to say, that, with respect to Russia, the despatch of Count Nesselrode to Baron Brunow, of the 19th of February, totally negatives that assertation. In that despatch, Count Nesselrode admits that he was aware as long ago as 1847, that our patience might be exhausted, and that we might have recourse to coercive measures against Greece to enforce our claims; and he says, moreover, that if lately, when we determined to enforce our claims, we had asked Russia to give us her assistance, she would have endeavored to persuade the Greek Government to come to an amicable settlement with us; and if the efforts of Russia to that effect had been unsuccessful, Russia could not then have expected that we should indefinitely postpone coercive measures out of deference to her.

With respect to France, the much-talked-of convention of the 19th of April was to be recommended by France to Greece in a way which made its acceptance pretty certain; and

in that convention there was at once full acknowledgment of the principle of all our demands, and of the amount which we thought it just and right to require. I am sorry that the convention did not arrive before the other settlement took place, but that was not the fault of our negotiator. It was not he who put an end to Baron Gros' functions, but Baron Gros himself. Baron Gros formally and officially withdrew from the negotiation, and that by a written communication, not addressed to Mr. Wyse alone, but to the Greek Government also.

But it is said he was willing to retract it, and that on the 24th of April he wrote to Mr. Wyse to say: "Send me back my note, and I will give you back yours." Now, to this Mr. Wyse said:

"I cannot exactly do what you wish, but I have another proposal to make to you. You ask me to refer to England, and to maintain the *status quo* till I get an answer; but to keep the Greek vessels in custody till that answer arrives would subject Greek commerce to great inconvenience. Instead of this, I propose that if the Greek Government will send me 180,000 drachmas with a letter that that sum is in satisfaction of all our claims excepting M. Pacifico's

claim on account of the loss of his Portuguese documents, I will ——"

Do—what? Refer home? No. Continue the *status quo?* No.

"I will immediately release all the Greek merchant vessels. I will only retain the few Government vessels as a pledge, leaving the wording of the apology in the case of the *Fantôme*, and the compensation for the loss sustained by M. Pacifico by the destruction of his Portuguese documents, to be settled by future discussion."

The effect of that arrangement would have been, that the points on which Mr. Wyse and Baron Gros differed would have been left open for future discussion; that coercive measures, as far as Greek commerce was concerned, would have been entirely suspended; the convention of London, of the 19th of April, would have arrived in time; but the Greek Government indeed would, by that convention, have had to pay probably a larger sum than the 180,000 drachmas. But what was Baron Gros' answer to that? He said, on the 24th, "I have withdrawn from the negotiation, and I cannot therefore officially transmit to the Greek Government your proposal." Therefore it was not

merely by his official notes of the 22d April to Mr. Wyse and M. Londos, that Baron Gros withdrew from the negotiation, for he repeated his withdrawal, in answer to this proposition; but he intimated, in a private letter, that he had made it known to the Greek Government. "To-morrow the 25th," he said, "I believe you will have, before five o'clock of the afternoon, your letter and your money."

Now, was Mr. Wyse in a hurry to resume coercive measures? Did he catch at the first moment at which he might have been authorized to resume hostilities? Far from it. He waited from the 22d to the 24th, and from the 24th till five o'clock in the afternoon of the 25th, and it was not till after that hour had passed, at which Baron Gros had led him to expect that he would receive from the Greek Government an acceptance of his conciliatory proposal; it was not till that hour had passed without any communication arriving, that he announced, through the British Consul, that the embargo would again be established.

It is plain, therefore, that Mr. Wyse did not put an end to Baron Gros' functions, or show any impatience to renew coercive measures. Baron Gros himself put an end to his own

functions, in spite of Mr. Wyse's repeated entreaties that he would not do so; and when Baron Gros had formally withdrawn, Mr. Wyse, instead of at once resuming coercive measures, made another and a very conciliatory proposal; but Baron Gros' answer to this was a renewed declaration that he had withdrawn from the negotiation, and that his official functions had ceased.

Since then, negotiations have taken place between the Governments of England and France, which, I am happy to say, have been brought at last to a satisfactory conclusion. We are ready to accept such parts of the proposed convention as are still applicable to what remains to be done. Having received and distributed to the claimants the 180,000 drachmas, we don't insist upon the difference between the sum and the sum that was to be required by the convention. The apology written by M. Londos is retained, and cannot be returned to him, in order that instead of it, he may send us the one proposed by M. Drouyn de Lhuys. The only thing, therefore, that remains to be settled, is the investigation of the claims of M. Pacifico on account of the loss of his Portuguese documents. With regard to these claims, by arrangement of the 27th of April, a material security

was given in the shape of a pecuniary deposit. The convention, of which I have drawn up the details, contained on that point a diplomatic guarantee, instead of a substantial guarantee; for it was a convention to be ratified by two sovereigns, providing that a commission of arbitration which should be named by three Governments to investigate was to be made not by a commission, but by the British and Greek Governments jointly. We are perfectly ready to substitute the one arrangement for the other, if the Greek Government choose to adopt it; but we do not intend to urge it upon them, if they do not. If they prefer the arrangement of the convention, we are prepared to conclude a convention to that effect, superseding the corresponding part of the arrangement which was concluded at Athens.

There is, however, one point in Mr. Wyse's arrangement which was not included in the draft of the convention, because it applies to circumstances of which we were not aware at the time when the convention of London was framed. Mr. Wyse exacted an engagement on the part of the Government of Greece that they should not put forward, or support, if put forward by others, any claims for compensation

arising from losses or injuries consequent upon the coercive measures to which we had recourse. The motive of Mr. Wyse for requiring that engagement was, that he understood the Government of Greece had been collecting and beating up for claims of that kind, which they meant to put forward to a very large amount. We attach no value to that engagement as bearing in any manner whatever upon the validity of any such claims. Such claims can have no just foundations whatever; and if they were put forward by the Greek Government our answer could only be, "These claims have no foundation in right or reason, and we utterly and entirely reject them." But the value of that arrangement was, that by shutting the door against such claims, it prevented the Greek Government from raising discussions which might interrupt the good understanding and friendly relations between the two countries. The British Government are willing, instead of that engagement, to accept the good offices of the French Government, whose good offices with the Government of Greece under existing circumstances have some value, and who will advise the King of Greece not to put forward any such

unfounded claims, and with that advice we shall be content.

Thus terminates all difference between the Governments of England and France in regard to these matters; and I believe that if it had not been for discussions which are now taking place in the French Assembly, the distinguished individual who represents the French Government at this Court, might have been present to hear the debate of to-night. So much, then, with regard to the affairs of Greece, and the course which we have pursued in regard to them; but there still remains the question of the far-famed islands of Sapienza and Cervi.

Now, with respect to these islands, my opinion is clear and decided. That opinion, as has been already stated this evening, is supported by the opinion of my predecessor in office, the Earl of Aberdeen, as appears by a despatch from him to Sir E. Lyons, which has been laid on the table. The case is simply this: There are certain islands on the coast of Greece, which originally belonged to Venice, and which, by the Treaty of 1800, between Russia and the Porte, were erected into a separate State.[14] The seven great islands and all the other islands, great and small, inhabited and uninhabited,

on the coast of Albania and of the Morea, were placed under feudal relations to Turkey; and were secured by the guarantee of Russia; and it was declared that the constitution which that State might give to itself should be communicated to, and be sanctioned by, the two protecting Powers. At that time the Morea and the other parts of Greece belonged to Turkey. In 1803 these islands made their constitution, which, I presume, was communicated to, and sanctioned by, the two protecting Powers; and in 1804, in execution of that constitution they made a municipal distribution of the smaller islands, allotting them respectively to the seven larger islands; and in a public decree, which I cannot doubt must have been made known both to Turkey and Russia, Sapienza aggregated to Zante, and Cervi to Cerigo.

Now, can any man suppose that, if Cervi and Sapienza had been part of the Turkish territory at that time, the Sultan would have allowed his vassals of the Ionian State to appropriate to themselves what belonged to him? or that Russia, who was still more vigilant, and was under engagement, by guarantee, to defend and maintain the territory of this Ionian State, would have permitted a proceeding, which on

such a supposition, would have thrown on her the duty of defending for the Ionian State islands which belonged to Turkey? But these islands have always been considered by the British Government, ever since the Septinsular Republic was placed under the protection of England, as belonging to the Ionian State; and it is well known that officers quartered at Cerigo have been in the habit of going to Cervi for purposes of amusement, and that that island has always been held to be part of the Ionian territory.

The boundaries of Greece were settled by the Protocol of February, 1830, with the exception of an improvement in the northern frontier, which was afterwards arranged between the Three Powers and the Porte, and in the settlement of which we were assisted by an honorable and gallant friend of mine, the Member for Portarlington, who was employed in surveying that improved line. A map was attached to the Protocol of February, 1830, and a red line, of which we have heard much, was drawn upon that map to mark part of the boundary which was established by the Protocol; but that red line was mentioned in the Protocol only as marking the northern boundary of Greece, east

and west from sea to sea, and it did not apply to the islands. The islands which were to form part of the Greek State, were enumerated by name in the Protocol, and neither Cervi nor Sapienza were included in that enumeration.

It is, therefore, impossible to contend that the public acts which constituted the Kingdom of Greece included either of these islands within its territory. If, then, the Greek Government has taken possession of either of these two islands, it is the Greek Government that has intruded upon the territory of the Ionian State; and the British Government has not, by demanding the evacuation of those islands, wanted to intrude upon the territory of the Kingdom of Greece. But this question did not form part of the demands made by Mr. Wyse on the 15th of January. It is a separate question, and remains open for fair discussion between the Governments of Greece and England, and of England, France, and Russia.

Our applications about these islands had remained unnoticed by the Greek Government for ten years. It may be asked, then, why did we renew them at this particular time? Because the Greek Government committed last

year an act of aggression on the island of Cervi which they had never committed before. A boat going between Cerigo and Zante with convicts was driven by stress of weather upon Cervi, when the convicts were liberated, and other acts were committed as if the island had been Greek territory. It became necessary, therefore, to call for an answer to our application, and if no answer was given, to take possession of the islands—an operation which could be performed by a boat's crew, without involving any greater employment of force. But, as has already been stated, the Greek Government hearing that these islands were to be taken possession of, at last broke their ten years' silence, and made a reply; and a discussion being thus opened, the forcible occupation was suspended. With respect to the Government of Russia, that Government was made aware so long ago as the beginning of last October, of the instructions we had given for the occupation of those islands.

Having disposed of the matter of Greece, I now come to the wider range which was taken last night by the Right Honorable Baronet, the Member for Ripon.[18] That Right Honorable Baronet took, I think, a proper view of the

question before the House, because the resolution which has been proposed is not confined to one particular act of her Majesty's Government with regard to foreign affairs, but does fully involve and open the consideration of all the topics to which the Right Honorable Gentleman adverted. I agree, however, with those honorable gentlemen who have contended that the resolution does not imply an absolute and entire approval of every act that has been done by the Government; and, indeed, it would be unreasonable to propose such a vote to the House: because it could hardly be expected that so large a number of men, possessing different degrees of information, holding different views, and not knowing exactly in all cases what have been the grounds upon which the Government have acted, though they may approve of the general principles which have guided the conduct of the Government, should implicitly approve of everything we may have done.

The Right Honorable Baronet was justified in taking that larger range into which he expatiated last night; but I must be allowed to set him right as to the first point upon which he touched. He stated what was quite true, that when he was a member of Earl Grey's

administration, he concurred with me in many acts of foreign policy of which I was the organ, which involved very active interposition in the affairs of other countries. He instanced the negotiations in regard to Belgium, and its separation from Holland. He has done justice to the views which guarded the Government of that day, in their opinion that the independence of Belgium would be a measure advantageous to the peace, present and future, of Europe. But, then, he says, that case was different from the acts of the present Government, because every step in that affair was taken with the concurrence of all the five Powers who were parties to the negotiation, The Right Honorable Baronet said that there were, to be sure, some things which went beyond mere negotiation; there was the siege of Antwerp, and the embargo laid by us upon Dutch ships. He had concurred, he said, in both measures; but were those measures steps taken with the full consent of all five Powers? Were those acts measures of such description that they rendered it quite impossible that the friendly relations of this country with other Powers could be disturbed thereby? The Right Honorable Baronet must, I am sure, recollect that Austria,

Russia, and Prussia dissented from those measures; that in consequence thereof they withdrew for a time from the conference, and that a Prussian army was collected near the banks of the Meuse, the presence of which rendered it necessary for the French to send a very large force to Antwerp, much more than was required for the mere siege of the citadel, and also to have a reserve ready in case of need. I know very well that when people are out of office their memory is not so quick and retentive as to things which happened while they were in power as it would have been if they had remained in; but on this point the Right Honorable Baronet made an important mistake, especially as bearing upon the particular question now before the House.

I agree with the Right Honorable Baronet that, in regard to the affairs of Belgium, the Government of England came to a wise determination. I think that the arrangement which in 1815 had been thought conducive to the peace of Europe, and by which, through the union of Belgium with Holland, a Power of some consideration was to be formed in that particular part of Europe, interposed between Germany on one side and France on the other

—I think that that arrangement, which originally, by those who framed it, was, and not without reason, expected to prove advantageous to the peace of Europe, had, by the course of events, turned out to have a contrary tendency. The people of Belgium and of Holland evidently could not coalesce ; and if certain Powers of Europe had combined at that moment to compel a reunion between these separated portions of the Kingdom of the Netherlands, I doubt whether the reunion could have been effected without the immediate explosion of a war in Europe of the greatest magnitude ; and I am quite sure that if it had been effected, it could not have lasted, and the foundation must have been laid thereby of future and inevitable disturbance. We carried out our opinion upon that point to a practical result.

It is not to be disguised, at this time of day, that our opinion on that matter was not shared by Austria, Russia, and Prussia. They would much rather have seen the two countries reunited; and if that reunion was at that time impossible, they would have been glad of an arrangement which might have tended to render a reunion thereafter more easy. This was not breach of faith on their part; they acted, I

am bound to say, with great good faith and honor in the whole transaction; but they had that opinion which differed from the opinion of England and France. Nevertheless, our arrangements prevailed; and was that, now, an instance of a policy which deserves the censure and condemnation of Parliament and of the country?

I remember of being taunted in this House by being told of my "little experimental Belgium monarchy." It was predicted that the experiment would not succeed; it was said that there was no national feeling among the Belgians; that they would, on the first opportunity, throw themselves into the arms of their nearest neighbor; that we were only laying the foundation of another change; and that our arrangement was only "a transition state." Why, if ever there was an experiment—call it so if you will—that fully and completely succeeded, the erection of Belgium into an independent State was that experiment. In times when almost all the other countries in Europe have been convulsed from top to bottom, Belgium has remained undisturbed. The people have shown the most admirable devotion and attachment to their sovereign; the sovereign the greatest confidence in, and love for, his

people; the nation has made rapid advances in industry and in the arts, in everything which distinguishes a civilized state; all this reflects the greatest honor upon the Belgian people; and they have, moreover, acquired a spirit and sentiment of nationality which entitles them to the respect of every other country in the world. I say, then, that so far as we were concerned in effecting that arrangement, I think that is a case to which we can refer with pride and satisfaction, and in regard to which we can justly claim the approbation of Parliament and of the country. But it was not altogether without encountering difficulty, not only in other countries, but at home, that we were able to bring that long negotiation to a successful issue.[16]

Then the Right Honorable Baronet says, that he was also a party to another operation which differed in some degree from pure and mere diplomatic intervention—the interference of this country in the affairs of Portugal by the Quadruple Treaty of 1834.[17]

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Now, the fault I find with those who are so fond of attacking me either here or elsewhere, in this country or in others, is that they try to

bring down every question to a personal bearing. If they want to oppose the policy of England, they say, "Let us get rid of the man who happens to be the organ of that policy." Why, it is like shooting a policeman. As long as England is England, as long as the English people are animated by the feelings and spirit and opinions which they possess, you may knock down twenty foreign Ministers one after another, but depend upon it no one will keep his place who does not act upon the same principles. When it falls to my duty, in pursuance of my functions, to oppose the policy of any Government, the immediate cry is, "Oh, it's all spite against this man, or that man, Count This, or Prince That, that makes you do this." So the Right Honorable Baronet says our object in 1847 was merely to get rid of Costa Cabral; and, he adds, Costa Cabral being now in office, our purpose has been defeated. Now, as regards mere personal considerations, we did not care who was Minister of Portugal; but we felt that there was in that country much popular excitement, that party was arrayed against party, class against class, that there were bitter animosities ready to break out, and we knew perfectly well that if a member of the Cabral

faction, was, at that particular time, made Minister there would be a renewal of civil war; we accordingly excluded, not forever, but merely for a time, and until the Cortes should decide who was to have their confidence, and who should be Minister, all men of the extreme parties, whether of the Cabral faction or of the Junta faction. I, therefore, cannot admit the triumph which the Right Honorable Baronet thinks he has obtained at my expense, by the fact that Costa Cabral, in spite of our proceedings in 1847, is now, in 1850, Minister of Portugal.

Now come to Spain. It is perfectly true that the Right Honorable Baronet was not in office when the Additional Articles of 1835—additional to the Treaty of 1834—were concluded. But what was the Treaty of 1834—the Quadruple Treaty? It was a treaty to expel from the peninsula not Don Miguel only, but Don Carlos also, who was then at the head of the troops in Portugal; and, therefore, so far as the spirit and provisions of that Treaty of 1834 went, the Right Honorable Baronet cannot ride off by saying that it confined itself entirely to Portugal, and did not extend to interference with Spain. Don Carlos was at the

time in Portugal, at the head of the troops, with the purpose of getting back into Spain; and, had Don Miguel been successful in Portugal, there is no doubt that Don Carlos would have availed himself of the circumstance to enforce his claims upon Spain. Don Carlos having been expelled from the Peninsula under the Treaty of 1834, came to London for a time, and then returned to Spain. Hostilities were resumed in Spain; and the Additional Articles of 1835 were then concluded, for the purpose of giving to the Queen of Spain assistance, to enable her to retain the Crown, and to expel Don Carlos from Spain.[18]

This was a case exactly similar to that of Portugal in the preceding year. We had no particular interest, in the abstract, in determining whether the Sovereign of Spain should be an infant princess, as Isabella then was, or a full-grown prince; the mere abstract question between Isabella and Carlos was one in regard to which we had nothing to stake, and which the then Government of England would probably not have thought it proper or useful to interfere with. Questions of succession to a Crown have, indeed, at all times been matters with which foreign Powers have concerned

themselves; but it has only been when some distant interest has made it worth their while to do so. But in Spain, as in Portugal, the question was between arbitrary rule and constitutional and parliamentary government, and in relation to Spain, as well as to Portugal, we thought that the interests of England in every point of view, commercial and political, would be benefited by the establishment of constitutional government.

If England has any interest more than another with reference to Spain, it is that Spain should be independent, that Spain should be Spanish. Spain for the Spaniards, is the maxim upon which we proceed in our policy with regard to Spain. Much evil must ever come to this country from the fact of Spain being under the dictation of other Powers. It is eminently for our interest that when we have the misfortune to be in dispute or at war with any other Power, we should not, merely on that account and without any offence to or from Spain herself, be at war with Spain also. It is to our advantage that so long as we have given no offence to Spain, and she none to us, differences with other Powers should not involve us in war with her;

and we considered that the independence of Spain was more likely to be secured by a Government controlled by a representative and national Assembly, than by a Government purely arbitrary, and consisting merely of the members who might form the Administration. Therefore, on the grounds of strict policy, independently of the general sympathy which animated the people as well as the Government of this country towards Spain at that time, we thought it our interest to take part with Isabella, and against the pretensions of Don Carlos. That policy was successful. The Carlist cause failed; the cause of the constitution prevailed. But it is said by the Right Honorable Baronet that General Narvaez is Minister of Spain. I cannot see in that any defeat of the policy of England; General Narvaez, indeed, is Minister of Spain, but the constitution has of late been more strictly observed than it was at the period to which the Right Honorable Baronet referred.

The Right Honorable Baronet finds fault with a certain despatch which, in July, 1846, after the change of Ministry in this country, I wrote to Sir Henry, then Mr. Bulwer, at Madrid; and the Right Honorable Baronet says:

"Here is an instance, not only of the interference of the noble Viscount, but of the manner and tone he uses." Now, as to manner and tone, there have been certain communications made to other British Ministers by persons in whom the Right Honorable Baronet has confidence, which are certainly couched in terms which may possibly admit of the application of some of those phrases which the Right Honorable Baronet has applied to me. There was a certain despatch, for example, addressed by the Earl of Aberdeen to Sir Edmund Lyons, our Minister at Athens, which has already been read elsewhere, and which I have got a copy of here, and which I think is a very curious specimen of the manner in which the most mild and uninterfering of Foreign Ministers can, when he so likes, deal with the internal arrangement of other Governments.

Everybody knows who Sir Richard Church is; a most distinguished soldier, who fought nobly in the cause of Greek independence, and for a long time was properly respected and honored by the Greek Government. But, in 1843, he was supposed to sympathize with the party who extorted the constitution from the King. I believe that what he then did, was a

great service to the King; and that he was very instrumental in saving King Otho from dangers to which he would otherwise have been exposed; but, however, in 1844, he incurred the displeasure of the King, and he was removed from the appointment of Inspector-General of the Greek forces, which he had held; and he was succeeded by General Grivas, a person whose conduct, as it appears from the despatch in question, had not been altogether free from imputations of disloyalty. Well, here are the instructions given on the subject to Sir Edmund Lyons, by the Minister who never interfered with the internal affairs of other countries, and especially with their purely domestic matters:

"Sir—Her Majesty's Government have learned with deep concern the dismissal of Sir Richard Church from the post of Inspector-General of the Greek Army, which post he had so honorably and successfully filled for many years."

Perhaps so far it was natural for the English Government to regret the dismissal of a meritorious English officer.

"Their regret is increased by finding that General Grivas, who so recently engaged in

open rebellion against the Throne, has been appointed to succeed him."

As to this point, one would have thought the King of Greece was himself the best judge.

"Her Majesty's Government do not propose to interfere in the matter; since, however unjust the deprivation of General Church may have been, and however injudicious the elevation of his successor, these acts were certainly within the competence of the Greek Government."

This is very handsome and candid.

"But," continues the non-interfering Minister, "though her Majesty's Government abstain from interfering, they deem it an imperative duty on their part—considering the position in which Great Britain stands with regard to Greece, as a creating and guaranteeing Power, to express—"

They do not interfere—

"to express in the strongest terms their sense of the injustice done to Sir Richard Church, one of the best, most disinterested, and most efficient supporters of Greek independence, by an abrupt and ungracious dismissal, unaccompanied by any word of commendation or acknowledgment of his great services to Greece,

and also their sense of the excess of imprudence and impolicy exhibited in the appointment to one of the most responsible offices under the Crown of a man whose recent conduct has shown him to be an enemy to the Throne, and a deliberate perverter of order and discipline."

This was written by the Minister who never interfered with the internal arrangements of other Powers.

"Her Majesty's Government," continues this mild despatch, "consider themselves fully warranted by the overt acts of General Grivas himself, in instructing you to make known these sentiments distinctly in their name to the Greek Minister for Foreign Affairs as well as to the King himself—as well as to the King himself, should a favorable opportunity present itself and at the same time to warn His Majesty seriously—seriously and solemnly of the danger to which he will expose his country and his Throne by a perseverance in so fatal a line of policy as that which he has lately pursued."

The writer of this despatch condemns me for my despatch of the 19th of July, 1846, addressed to Sir Henry Bulwer—a despatch

which was not to be communicated to the Sovereign; and the concluding paragraph of which the Right Honorable Baronet might as well have read, when he read the other portion of it, because after stating to Sir Henry Bulwer that, having just come into office, we thought it was essential that we should explain to him the views we entertained as to the position of Spain, and as to the conduct of the Spanish Government, the despatch concluded with the following passage:

"It was certainly not for the purpose of subjecting the Spanish nation to a grinding tyranny, that Great Britain entered into the engagements of the quadruple alliance of 1835, and gave, in pursuance of the stipulations of that treaty, that active assistance, which contributed so materially to the expulsion of Don Carlos from Spain. But her Majesty's Government are so sensible of the inconvenience of interfering, even by friendly advice, in the internal affairs of independent States, that I have to abstain from giving you instructions to make any representations whatever to the Spanish Ministers on these matters. But, though you will, of course, take care to express on no occasion on these subjects sentiments

different from those which I have thus explained to you; and although you will be careful not to express those sentiments in any manner or upon any occasion so as to be likely to create, increase, or encourage discontent, yet you need not conceal from any of those persons who may have the power of remedying the existing evils, the fact that such opinions are entertained by the British Government."

Now let the House, after comparing these two despatches, say whether it is from that quarter that we deserve the condemnation that has been passed upon us? "If I am worthy to be so treated I do not deserve to be so treated by you."

But it is said, nevertheless, to me:

"You cannot be commonly courteous or civil, even in your reconciliations; your strong language led to a rupture of diplomatic relations with Spain, and, when matters have been arranged again, you have spoiled the grace and courtesy of the reconciliation by your manner of accepting an apology."

I am told:

"You mentioned Sir Henry Bulwer, in your note, in reply to the apology of the Spanish Government, as the person whom you would

have preferred to send to Madrid; and that was enough to disgust the Spanish Government and the Spanish people."

No, at the time when the conduct of Sir Henry Bulwer became the subject of discussion in this House, there was not a man of any side who did not do him justice; and no one expressed himself more handsomely in regard to Sir Henry Bulwer than did the Right Honorable Baronet, the Member for Tamworth. Sir, it is not always fitting to tell diplomatic secrets to the House of Commons. Yet I am obliged, in vindication of myself, to do so on this occasion; and to tell the House, but of course in strict confidence, that those two notes—namely, the note of apology from the Spanish Government, and our note of answer, were mutually communicated to and approved by each Government beforehand. Yes, those notes were communicated confidentially and were agreed to by both Governments before they were officially interchanged.

However, sir, the Right Honorable Baronet, the Member for Ripon, says that these affairs of Spain were of long duration, and produced disastrous consequences, because they were followed by events of the greatest importance, as

regards another country, namely, France. He says, that out of those Spanish quarrels and Spanish marriages, there arose differences between England and France, which led to no slighter catastrophe than the overthrow of the French monarchy. This is another instance of the fondness for narrowing down a great and national question to the smallness of personal difference. It was my dislike to M. Guizot, forsooth, arising out of these Spanish marriages, which overthrew his administration, and with it the throne of France! Why, sir, what will the French nation say when they hear this? They are a high-minded and high-spirited nation, full of the sense of their own dignity and honor—what will they say when they hear it stated that it was in the power of a British Minister to overthrow their Government, and their monarchy? Why, sir, it is a calumny on the French nation to suppose that the personal hatred of any foreigner to their Minister could have this effect. They are a brave, a generous, and a noble-minded people; and if they had thought that a foreign conspiracy had been formed against one of their Ministers—I say, that if the French people had thought that a knot of foreign conspirators

were caballing against one of their Ministers, and caballing for no other reason than that he had upheld, as he conceived, the dignity and interests of his own country; and if they had thought that such a knot of foreign conspirators had coadjutors in their own land, why, I say that the French people, that brave, noble, and spirited nation, would have scorned the intrigues of such cabal, and would have clung the closer to, and have supported the more, the man against whom such a plot had been made. If, then the French people had thought that I, or any other Foreign Minister, was seeking to overthrow M. Guizot, their knowledge of such a design, so far from assisting the purpose, would have rendered him stronger than ever, in the post which he occupied. No, Sir, the French Minister and the French monarchy were overthrown by far different causes. And many a man, both in this country and elsewhere, would have done well to have read a better lesson from the events which then took place.

We had, indeed, a difference with the Government of France relative to the Spanish marriages." I do not wish to open again questions that are gone by, or to remind the House or

the country of the grounds of complaint which we had then, as I think, justly, against those who are no longer in power. But since I am pressed upon this matter, and as it is one count of the long indictment preferred against me, I must say, in my own defence, that the dissatisfaction which we felt was not groundless. I must say, too, that I formed my judgment from communications made to me by the noble Lord, (the Earl of Aberdeen), whom I succeeded in the office I hold—from statements from his own mouth, made to me in that interview which always take place between the Foreign Minister who goes out, and the Minister who comes in. I learned from that source, that promises had been made in regard to these marriages—not only by a Minister to a Minister, but between far higher personages—promises, the like of which, so far as I am aware of, have never before in the history of Europe been broken; and yet those promises were deliberately broken. If we felt dissatisfaction then at those marriages, that dissatisfaction was just and well-founded; and upon every ground of national interest and honor, we were entitled, nay, bound, to express it.

Before I quit this subject, I must say that in

my opinion the policy which we have pursued in regard to France has been consistent with the interests of this country, and has been characterized by an observance of the principles which the honorable and learned gentleman whose resolution we are discussing, thinks ought to govern our foreign policy, and which are calculated to preserve, as they have preserved, the peace of Europe. Our prompt acknowledgment in 1848 of the Government established in France, and the kindly relations which we have maintained with the successive chiefs of administration in that country, sufficiently show that we have been animated by a kindly feeling towards the French nation; and that in our opinion the maintenance of friendly relations with that country is not only consistent with our interests and our dignity, but also forms a a firm foundation for the peace of Europe.

The Right Honorable Baronet, the Member for Ripon, has insinuated that the Marquess of Normandy, in the period immediately preceding the events of February, 1848, had been in too intimate connection with some of the persons whom he describes as the parties who overthrew the throne of France. I know not whom he means, but this I know, that the person

with whom the Marquess of Normandy was perhaps in the most frequent communication, because he was an old and intimate friend, was Count Mole; and I have yet to learn that he is a man who was likely to do anything to overthrow, either intentionally or unintentionally, the monarchy of France. But, if that insinuation was meant to convey an imputation that the Marquess of Normandy had done anything, or had held any intercourse inconsistent with his position as the ambassador of a friendly Power, then I say that imputation is totally and entirely unfounded.

Well, sir, I leave the sunny plains of Castile, and the gay vineyards of France, and now I am taken to the mountains of Switzerland, as the place where I am to render a stricter account."

* * * * * * *

With regard to our policy with respect to Italy, I utterly deny the charges that have been brought against us of having been the advocates, supporters, and encouragers of revolution. It has always been the fate of advocates of temperate reform and of constitutional improvement to be run at as the fomenters of revolution. It is the easiest mode of putting them down; it is the received formula. It is

the established practice of those who are the advocates of arbitrary government to say, "Never mind real revolutionists; we know how to deal with them; your dangerous man is the moderate reformer; he is such a plausible man; the only way of getting rid of him is to set the world at him by calling him a revolutionist."

Now, there are revolutionists of two kinds in this world. In the first place there are those violent, hot-headed, and unthinking men, who fly to arms, who overthrow established governments, and who recklessly without regard to consequences, and without measuring difficulties and comparing strength, deluge their country with blood, and draw down the greatest calamities on their fellow-countrymen. These are the revolutionists of one class. But there are revolutionists of another kind; blind-minded men, who, animated by antiquated prejudices, and daunted by ignorant apprehensions, dam up the current of human improvement, until the irresistible pressure of accumulated discontent breaks down the opposing barriers, and overthrows and levels to the earth those very institutions which a timely application of renovating means would have rendered strong and lasting. Such revolutionists as these are the

men who call us revolutionists. It was not to make revolutions that the Earl of Minto [11] went to Italy, or that we, at the request of the Governments of Austria and Naples, offered our mediation between contending parties.

* * * * * * *

With respect to the questions which arose last Autumn about Turkey, no blame has been imputed to her Majesty's Government for the course which we pursued on that occasion in answer to the appeal made by Turkey, to this country and to France, for moral and material assistance. On that point all parties agreed. It is a proud and honorable recollection which Englishmen may treasure up, that on any occasion like that, all party differences were merged in high and generous national feeling; and that men of all sides concurred in thinking, that the Government of the Queen would not have been justified in rejecting an appeal so made, on such a subject.

But it has been said that we ought to have confined our interference, at first, to sending a despatch, and that we should not have sent our fleet until we knew whether our despatches would produce the desired effect. That would have been a very imprudent and unwise course

of proceeding. The agents of the two Imperial Governments at Constantinople had used most menacing language to the Porte; had demanded the surrender of the refugees in the most peremptory manner; and said, that if they did not receive a categorical answer within a limited time they would suspend diplomatic relations. In short, they intimated that a refusal of their demands might lead to war. We had no means at the time of knowing whether this violent and peremptory language was or was not authorized by the Courts of Russia and Austria, and whether those Governments were prepared to enforce by actual hostilities the threat so held out. It was impossible to say what might occur in the interval between the 6th and the 26th of October; between the day when the despatches of the British Government were sent off to St. Petersburgh and Vienna, and the day when, if it were necessary on the receipt of those answers to send a fleet, that fleet, sent only after the answers were received, could reach the place where its services might be required. The Government did what men of prudence would do, who mean to do that which they profess."

But it has been said that the sending of this

fleet was a threat against Russia and Austria. I utterly deny that the sending of the fleet was a threat against either one or the other. A fleet at the Dardanelles was not a threat against Austria. If it had been in the Adriatic, it might have been so regarded. A fleet in the Mediterranean was not a threat against Russia. Had it forced its way through the Dardanelles and Bosphorus, and had gone up to the Black Sea, and had anchored off Sebastopol, it might have been so considered. But a fleet at the mouth of the Dardanelles could be a threat against nobody; it must be manifest to the world that it could only be a symbol and source of support to the Sultan. It was a measure purely of defence and not a measure of offence.

But then we are told that our fleet by anchoring within the outer and inner castles of the Dardanelles, violated, not the Treaty of Unkiar Skelessi, as was said by mistake, but the Treaty of London, concluded in July, 1841, between the five Powers and Turkey, with respect to the passage of the Dardanelles and Bosphorus. The British Government are accused of violating that treaty by ordering Sir W. Parker to enter the Dardanelles.

Now, by the Treaty of 1809, between England

and Turkey, England bound herself to respect the rule of the Turkish Empire, by which, while Turkey is at peace, the Straits of Dardanelles and of the Bosphorus are closed against the ships of war of foreign Powers. But it was not till the Treaty of 1841 that the same engagement was also taken by all the other four Powers. I concur entirely with the Right Honorable Baronet, the Member for Ripon, in thinking that this was a wise and politic arrangement, eminently advantageous to Turkey, and conducive to the peace of Europe. Because when it is considered how easy it would be, if these narrow straits were open to the armed ships of other countries in times of peace, for any maritime Power when she had a discussion of any kind with the Turkish Government, to support the friendly representations of her Minister at Constantinople by the of course, accidental visit of a large fleet off the Seraglio Point—whether the fleet came from the Black Sea or the Mediterranean, it appears essential for the maintenance of the independence of the Porte, that no armed vessel of other Powers should, when the Porte is at peace, be allowed to enter either of those straits.

By the Treaty of July, 1841, Austria, France,

Great Britain, Russia, and Prussia, all bound themselves to respect that regulation of the Porte. It so happens, however, that that treaty did not specify precisely what those straits are, whether they comprise the whole distance between the Mediterranean and the Sea of Marmora, and the whole distance between the Sea of Marmora and the Black Sea, or whether they consist only of such portion of those channels as are technically called the Straits of Bosphorus and the Dardanelles. At the entrance of the Dardanelles from the Mediterranean, there is a broad bay between the outer and the inner castles, and it is from the inner castles to the Sea of Marmora that the channel continues narrow. At the inner castles reside the Consuls; and it is there that tolls are taken from vessels passing; and there the firmans are delivered to allow vessels to pass up. In regulations established by the Porte in 1843, it was stated in general terms, that foreign ships of war and merchantmen should be admitted to this bay, between the outer and inner castles, for safe anchorage, and to wait there to know whether they would be allowed to go further. When the fleet under Sir W. Parker arrived at Besica Bay, which is on the coast of Asia

where he laid the foundation of his fortunes. He soon gained a seat in the Legislative Council for New South Wales, and having become generally prominent in colonial affairs, in 1850 judged that the time had come for his return to England. Almost immediately he was engaged as a writer of leading articles for the *Times* newspaper. In 1852, as Member of Parliament for Kidderminster, he began his twenty years of public service. Particularly in connection with educational matters, Lowe was soon well known in the House, one of many useful but not distinguished public men.

It was in the year 1866 that Lord John Russell introduced a bill for the extension of the suffrage, a measure mild enough in view of more recent enactments, but a measure that aroused in Lowe all the opposition of his peculiar nature. For the moment he became more Tory than the Tories; and in the debates over the bill developed powers perhaps unsuspected by himself,—certainly so by his colleagues. The one voice that was heard above

all others was that of Lowe, a voice emphatic, sincere, and, as the event proved, dominant. The bill was rejected.

The National Biographer says: "Lowe's triumph at the time was complete. . . . He had the success which attends those who believe all they are saying. At no other time did he attain to such a high level of perfection in speaking. . . . Mr. Gladstone and he vied with each other in aptness of classical quotation, and the keenest partisan on the ministerial side could not fail to admire Lowe's courage and sincerity of purpose."

It was his *annus mirabilis*. It is whimsical now to read that contemporaries thought they saw in Lowe a superior to Gladstone; more whimsical to learn that the very next year the Conservatives, switched skilfully about by Disraeli, passed a much more sweeping extension of the franchise than the one Lowe had so successfully opposed. For the moment, however, his reputation was secure.

In 1868, he was chosen Chancellor of the

Exchequer, apparently a step upward, in reality the beginning of his decline. For he soon became unpopular, personally by his brusque manner, officially because his conception of his duty would not allow him to apply the public moneys to such purposes as the purchase of Epping Forest for a public park, and the installation of gardens along the Thames Embankment. This office he eventually resigned. Although, in 1873, he was made Home Secretary, he had already passed not so much out of the public eye as out of the public mind. The next year, with the defeat of the Gladstone Ministry, he made his definitive departure from political life. The further honor of the peerage awaited Lowe,—from 1880 he was Viscount Sherbrooke,—but the last twenty years of his life were those of anti-climax and decay. The peculiar malignancy of fate that latterly seemed to pursue him was shown in the accidental publication in 1884 of the inconsiderable booklet, *Poems of a Life*, which he had privately printed for private

circulation. He died in 1892, at the age of eighty-one. The world had almost forgotten him.

Such, briefly, are the facts of Lowe's history, a record of honorable achievement surely, but not the record which others—and probably the man himself—had dreamed of. It may be asked how the career of a man who from modest beginnings attained cabinet rank could be in any sense a failure. But when the supreme episode of his life—the brief hour of glory, followed by the gradual reversal from almost universal laudation to wide-spread unpopularity — is remembered the question should be answered. The causes of Lowe's failure to justify his own promise were perhaps largely personal. The temper of the man was brusque, independent, imperious. In his love for invective and satire as weapons of oratory, there was something Swiftian; Swiftian, too, was his general disregard for the feelings of others. This did not arise from any native insensibility—it is the sensitive who can inflict

the keenest wounds—but from a pride of intellect that made him despise the slow-minded and the ill-informed. He was not so much tactless as disdaining tact. Some of the projects he favored were signally progressive : in 1856 he introduced an unsuccessful bill for the conversion of partnerships comprising more than twenty persons into incorporated companies; he was an advocate of public libraries, of undenominational education; as Chancellor he devised ingenious budgets and proposed a revenue stamp on match-boxes, a tax which had already been levied in America; and Mr. A. Patchett Martin claims for him the original project of Imperial Federation. He was also one of the earliest enthusiasts over the bicycle. On the other hand, he was personally opposed to the democratic idea, especially as represented by universal suffrage. He was never strictly a party man. It is a tribute to him that the Liberals, under whose banners he nominally fought, acquiesced in the free play that his erratic temperament demanded. Something

of a cynic, he could laugh about himself or his own classical attainments; but it is agreed that, with all his satire and asperity, Lowe was free from that mean joy in another's misfortunes—Aristotle's ἐπιχαιρεκακία—that so often accompanies the masters of epigram and of scorn.

ROBERT LOWE, VISCOUNT SHERBROOKE

AGAINST THE REFORM ACT: HOUSE OF COMMONS, MAY 31, 1866.

The Reform Act of 1866, against which this speech was directed, was introduced by Mr. Gladstone on March 12th of that year. Among other provisions, it proposed to reduce the county franchise from fifty pounds to fourteen; the borough franchise from ten pounds to seven; and included a savings-bank franchise and a lodger franchise. These provisions were not so sweeping as they appeared. It is stated that the Bill would only have enfranchised a few hundreds of people. And among its supporters, Mr. Bright was thought to feel more enthusiasm for its sponsors, Mr. Gladstone and Lord John Russell, than for the measure itself; while Mr. Mill favored it largely because Mr. Bright did. Nevertheless, Mr. Gladstone, during the Easter holidays, stumped the country for it, and at Liverpool made a famous remark about the Government's "burning bridges and crossing the Rubicon." Mr. McCarthy pertinently says of this, that it was only true of the speaker; as for the Government, it had to get back over the river again. In his opposition to the Bill, Lowe was the spokesman of the reactionary tendencies of the time,—in which such events as trades unions, strikes, Irish mutterings, socialistic perorations in London, dislike of American principles, and genuine sorrow that the Republic had

survived the Confederacy stung to bitter speech the conservatives and the haters of change. Thus Lowe stood for the Aristocratic Principle incarnate; he desired an oligarchy of the brightest and best. With Lowe there stood against this measure of reform not only the rank and file of the Conservative party, but a group of political independents like himself, men of various crotchets, united only in their aversion to change and the encroachments of universal suffrage. This element, which would now, perhaps, be called "mugwump," was then wittily compared to the adherents who rallied to David in the cave Adullam (1 Samuel xxii., 2): "And every one that was in distress, and every one that was in debt, and every one that was discontented, gathered themselves unto him." And yet, by sheer force of eloquence, for the moment these had their way; and the Bill failed. As has been said, Lowe's was the greatest share in the victory. His voice is the voice of Old England, eloquent with a haughty dignity against the incoming of the New.

MR. SPEAKER

We are now called upon to go into Committee on a Bill which has never been read a second time.[38] The two halves of it have been read, each of them a second time, but the whole measure we have never until this moment had before. The first half this House was induced—or shall I say coerced?—into reading a second time without knowledge of the other part. The second half was really hurried on so fast to a second reading—only an interval of a week being given to master all

its complicated details—that I, for one, was quite unable to take part in the discussion on the second reading for want of time to make up my mind as to an opinion by which I should be willing to stand. I hope, therefore, the House will allow me, even at this stage, to question the principle of the measure. What is that principle? I must apologize to the House for the monotonous nature of my complaints, which are, I think, justified by the uniform nature of the provocation I receive. That provocation is that the Government keeps continually bringing in measures, attacking, as it seems to me, the very vital and fundamental institutions of the country, and purposely abstains from telling us the principle of those measures. I made the same complaint, I am sorry to say, against the Chancellor of the Exchequer on that Franchise Bill. I make it again now. The Chancellor of the Exchequer in introducing the Redistribution Bill said that the Government was not desirous of innovation—that is to say, they went upon no principle. Their principle, he said, was the same as the principle of every Redistribution Bill. Now, that appears to me to be impossible, because Redistribution Bills may be

divided into two classes. There is one, the great Reform Bill,—the only successful Redistribution Bill that any one ever heard of,—and then there are the four which succeeded it, and which all failed from one cause or another."[34] The principle of the Reform Bill was one thing, and the principle of the four bills which followed it was another. The principle of the Reform Bill was, no doubt, disfranchisement. The feeling of the country at that time was that the deliberations of this House were overruled, and the public opinion of the country stifled by an enormous number of small boroughs under the patronage of noblemen and persons of property. That state of things was considered a public nuisance, and one which it was desirable to abate, and hence the principle of the Reform Bill was disfranchisement, and 141 members were taken away from the small boroughs. The Government proposition was to reduce the number of the House of Commons by fifty, because they were very anxious to get rid of these members, and they had no means which appeared suitable of filling up the vacancies they had created. It was only on an amendment carried against the Government that it was determined not to diminish the

number of members in this House. But has that been the principle of any subsequent Reform Bill? I think not; it has been quite the contrary. It has been the principle of enfranchisement; and of disfranchisement only so far as may be necessary in order to fill up the places which require enfranchisement. As I have shown the House, there are two different principles, and the Right Honorable Gentleman does not tell me which is his, but says the principle is that of all other Redistribution Bills. This puts me in mind of the story of a lady who wrote to a friend to ask how she was to receive a particular lover, and the answer was, "As you receive all your other lovers." Well, as the Chancellor of the Exchequer will not tell us what the principle of his measure is, I must, I am sorry to say, with the same monotony of treatment, try to puzzle it out for myself; for it seems to me preposterous to consider the Bill without the guiding thought of those who constructed it. There is one principle of redistribution upon which it clearly ought not to be founded, and that is the principle of abstract right to equality of representation. The principle of equal electoral districts is not the principle upon which a

Redistribution Bill ought to be based. To adopt such a principle would be to make us the slaves of numbers—very good servants, but very bad masters. I do not suppose we are generally eager to see the time

> "When each fair burgh, numerically free,
> Returns its Members by the Rule of Three."

And yet, though few persons stand up for the principle of equality of representation, I cannot escape the conclusion that it has had a good deal to do with the matter, and that the Government will find it exceedingly difficult to point out what other principle than that of a sort of approximation towards numerical equality has guided them. For if it be not a principle of *a priori* rights, it must be some good to the State, some improvement of the House, or the Government, some practical good in some way. Now, the House has had the advantage of hearing the Chancellor of the Exchequer, the Secretary of State for the Colonies, and the Chancellor for the Duchy of Lancaster, and I ask if any of these Right Honorable Gentlemen has pointed out any good of any practical nature whatever to be expected from the Bill. I set myself, therefore, according to my old method, to try and puzzle out

what ought to be the principle of a Bill for the Redistribution of Seats. In the first place, I should like to be shown some practical evil to be remedied, but I give that up in despair, for I have so often asked for it and failed to obtain it that I am quite sure I shall not have it on this occasion. But it seems to me a reasonable view of a Redistribution Bill that it should make this House more fully and perfectly than it is at present a reflection of the opinion of the country. That, I think, is a fair ground to start from. We have suffered in many respects from the arbitrary division of these two measures, and in none more than this—that the arguments for the Redistribution of Seats has been transferred to this Bill for enlarging the franchise. For, although it is quite true that a Bill for the Redistribution of Seats should aim at making Parliament a mirror of the country, it is also true that there can be nothing more inappropriate than the argument when applied to the enlargement of the franchise. For to pass a Bill which puts the power in a majority of the boroughs into the hands of the working classes is not to make this House a faithful reflection of the opinion of the country, but is to make it an inversion of

that opinion by giving political power into the hands of those who have very little social power of any kind. But that principle applies, to a certain extent, to a Redistribution Bill, and from that point I take my departure. Any one who makes an examination as to the nature of the deficiency will see whether this House fails in any considerable degree to reflect the opinion of the country. I confess I have found it exceedingly difficult to discover in what respects it fails to do so. I have, indeed, observed some tendency of a kind which, if we are to have a Redistribution Bill, ought to be corrected. I think there is a visible tendency to too great a uniformity and monotony of representation. I think there is a danger that we may become too much like each other—that we may become merely the multiple of one number. That is a danger which has occurred to thinking men, and I think it very desirable that in a Redistribution Bill we should find a remedy if possible for the tendency to this level of monotony, and perhaps mediocrity. I think another great object we must have in view in a Redistribution Bill should be enfranchisement; and by that I mean not the aggregation of fresh members to large constituencies,

and by the enfranchisement of such constituencies the giving more variety and life to the representation of the country, and thus making the House what the country is—a collection of infinite variety of all sorts of pursuits and habits. I think the second advantage is that, by making fresh constituencies by fresh enfranchisements, you do the most efficient thing you can do towards moderating the frightful, enormous, and increasing expense of elections. This is one of the greatest evils of our present system. I am not speaking of the illegitimate expenses of elections, but of the legitimate expenses. We had a paper laid upon our tables this morning giving an account of the expenses of elections from "S" downwards. I take the first few large boroughs, and I will read the expenses. The expense of election for Stafford is £5400; Stoke-upon-Trent, £6200; Sunderland, £5000; and Westminster, £12,000. These are the aggregate expenses of all the candidates. I take them as they come, without picking and choosing. I wish to call particular attention to the case of Westminster, not for the purpose of saying anything disagreeable to my honorable friend (Mr. J. Stuart Mill), for we know he was elected in a burst—

I will say a well-directed burst—of popular enthusiasm. That was honorable to him and honorable to them, and I have no doubt that in the course of the election all that could be done by industry and enthusiasm was accomplished—gratuitously; and I am sure that my honorable friend did not contribute in any way to swell any unreasonable election expenses. His election ought to have been gratuitous, but mark what it cost—£2302. I believe it did not cost him 6*d*. He refused to contribute anything, and it was very much to the honor of his constituents that they brought him in gratuitously. But look to the state of our election practices when such an outburst of popular feeling could not be given effect to without that enormous sacrifice of money. I will now call attention to two or three counties. This subject has not been sufficiently dwelt upon, but it bears materially upon the question before us to-night. I will take the southern division of Derbyshire. The election cost £8500, and this is the cheapest I shall read. The northern division of Durham cost £14,620, and the southern division, £11,000. South Essex cost £10,000. West Kent cost £12,000; South Lancashire, £17,000; South

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Shropshire, £12,000; North Staffordshire, £14,000; North Warwickshire, £10,000; South Warwickshire, £13,000; North Wiltshire, £13,000; South Wiltshire, £12,000; and the North Riding of Yorkshire, £27,000—all legitimate expenses, but by no means the whole expense. Now, I ask the House how it is possible that the institutions of this country can endure if this kind of thing is to go on and increase. Do not suppose for a moment that this is favorable to anything aristocratic. It is quite the contrary. It is favorable to a plutocracy working upon a democracy. Think of the persons excluded by such a system! You want rank, wealth, good connections, and gentleman-like demeanor, but you also want sterling talent and ability for the business of the country, and how can you expect it when no man can stand who is not prepared to pay a considerable proportion of such frightful expenses? I think I am not wrong in saying that another object of the Redistribution Bill might very well be to diminish the expense of elections by diminishing the size of the electoral districts. These are the objects which I picture to myself ought to be aimed at by a Redistribution Bill. It should aim at variety and

economy, and should look upon its disfranchisement as a means of enfranchisement. And now, having done with that, I will just approach the Bill, and having trespassed inordinately on former occasions upon the time of the House, I will now only allude to two points. One is the grouping, and the other is adding the third member to counties and boroughs." This word "group" is very pretty and picturesque. It reminds one of Watteau and Wouvermans—of a group of young ladies, of pretty children, of tulips, or anything else of that kind. But it really is a word of most disagreeable significance when analyzed, because it means disfranchising a borough and in a very uncomfortable manner re-enfranchising it. It means disfranchising the integer and re-enfranchising and replacing it by exceedingly vulgar fractions. Well, now, I ask myself, why do we disfranchise and why do we enfranchise? I do not speak now of the eight members got by taking the second member from boroughs, but of the forty-one got by grouping—by disfranchisement and enfranchisement. And I ask, in the first place, why disfranchise these small boroughs? I have heard no answer to this from the Government. All that was

attempted was said by the Chancellor of the Exchequer—that he had in 1859 advocated the maintenance of small boroughs on the ground that they admitted young men of talent to that House, but that he found on examination that they did not admit young men of talent; and, therefore, he ceased to advocate the retention of small boroughs. My Right Honorable friend is possibly satisfied with his own reasoning. He answered his own argument to his own satisfaction; but what I wanted to hear is not only that the argument he used seven years ago had ceased to have any influence on his own mind, but what the argument is which has induced the Government to disfranchise the boroughs. Of this, he said not a single syllable. I know my own position too well to offer anything in favor of small boroughs. That would not come with a good grace from me, but I have a duty to perform to some of my constituents. They are not all ambitious of the honors of martyrdom. So I will give a very good argument in favor of small boroughs. What is the character of the House of Commons?

"It is a character of extreme diversity of representation. Elections by great bodies,

agricultural, commercial, or manufacturing, in our counties and great cities are balanced by the right of election in boroughs of small or moderate population, which are thus admitted to fill up the defects and complete the fulness of our representation."

I need not say that I am reading from the work of a Prime Minister.[80] Not only that, but he republished it in the spring of last year, and in that edition this passage is not there. But he published a second and more popular edition in the autumn, and in the autumn of last year he inserted the passage I am now reading. The Prime Minister differs from the Chancellor of the Duchy, for he seems fonder of illustration than argument:

"For instance, Mr. Thomas Baring" (he goes on to say) "from his commercial eminence, from his high character, from his world-wide position, ought to be a member of the House of Commons. His political opinions, and nothing but his political opinions, prevent his being the fittest person to be a member for the City of London."

It would have been better to have said, "his political opinions prevent his being a member for the City of London," without saying they

prevent his being "the fittest person," which is invidious.

"But the borough of Huntingdon, with 2654 inhabitants and 393 registered voters, elects him willingly."

Next he instances my Right Honorable friend, the Secretary of State for the Home Department; but, as he happily stands aside and looks upon the troubles of the small boroughs as the gods of Lucretius did upon the troubles of mankind, I will not read all the pretty things the Prime Minister says of him. Then we come next to the Attorney-General:

"Sir Roundell Palmer is, *omnium consensu*, well qualified to enlighten the House of Commons on any question of municipal or international law, and to expound the true theory and practice of law reform. He could not stand for Westminster or Middlesex, for Lancashire or Yorkshire, with much chance for success."

The House will observe that that was written last autumn. If it had been written this morning, I think very possibly the Prime Minister might have cancelled these words, and said, "that honorable and learned gentleman would have stood for one of those large constituencies with every prospect of success." Now, is it

credible, is it possible to conceive, that the writer of these words should actually be the Premier of the Government which, not six months after these illustrations were given, has introduced this new Reform Bill to group and disfranchise the very boroughs he thus instanced? Well, there is a little more:

"Dr. Temple says, in a letter to the *Daily News*, 'I know that when Emerson was in England he regretted to me that all the more cultivated classes in America *abstained from politics because they felt themselves hopelessly swamped.*'"

These last words were given in italics, the only construction I can put upon which is that the noble Lord thought if many of these small boroughs were disfranchised the persons he desires to see in this House would not come here, else I do not see what is the application of the passage. He goes on to say:

"It is very rare to find a man of literary taste and cultivated understanding expose himself to the rough reception of the election of a large city."

There is a compliment to many of the noble Lord's most ardent supporters. But he continues:

" The small boroughs, by returning men of knowledge acquired in the study, and of temper moderated in the intercourse of refined society— "

Where the members for large boroughs never go, I suppose—

" restore the balance which Marylebone and Manchester, if left even with the £10 franchise undisputed masters of the field, would radically disturb."

Whether that means to disturb from the roots or to disturb from radicalism, I do not know.

" But besides this advantage, they act with the counties in giving that due influence to property without which our House of Commons would very inadequately represent the nation, and thus make it feasible to admit the householders of our large towns to an extent which would otherwise be inequitable, and possibly lead to injurious results."

So that the proposal of the noble Lord's Government, coupled as it is with the disfranchisement of these small boroughs, is in his opinion inequitable certainly, and possibly likely to lead to injurious results. He goes on:

" These are the reasons why, in my opinion,

after abolishing 141 seats by the Reform Act, it is not expedient that the smaller boroughs be extinguished by any further large process of enfranchisement. The last Reform Bill of Lord Palmerston's Government went quite far enough in this direction."

Now, sir, what did the last Reform Bill of Lord Palmerston do? It took away the second member from twenty-five boroughs, and that was the whole of it. It did not break up a single electoral district. The present bill takes away forty-nine members from these places, and therefore, according to the words of the Prime Minister written six months ago, it exactly doubles what the Ministry ought to do in the matter. After that I think the House will agree with me that it would not become the member for Calne to add anything in defence of his borough; for what could he say that the Prime Minister had not said a hundred times better and with all the authority and weight of such a statesman, writing deliberately in his study no less than thirty-three years after the passing of the Reform Act? Well, I shall say no more of that, but for some reason for which we have yet to hear I will assume that the small boroughs are to be disfranchised.

The next question that we have to consider is what is to be done with the seats to be acquired by that disfranchisement. It does seem to me quite absurd to halt between two opinions in this way. I must assume that there is some good and cogent reason for disfranchising the small boroughs, or else I suppose they would let us alone. But if there be a good and cogent reason for disfranchising them, what possible reason can there be for re-enfranchising them immediately afterwards? What reason can there be for giving them back as a fraction that which you have taken away as an integer? The first process condemns the second. It may be right and wise—I do not in my conscience think it is—to disfranchise these boroughs; but if you do take that course your business surely should be to do the best you can for the interests of the country at large with the seats you thus obtain. If you are to be influenced by respect for traditions, and by veneration for antiquity, perhaps Calne should have some claim, because it was there that the memorable encounter is said to have taken place between St. Dunstan and his enemies, which terminated in the combatants all tumbling through the floor, with the exception of

the Saint himself. And I may remind you that in our own times Calne was represented by Dunning, by Lord Henry Petty, by Mr. Abercromby, for some time Speaker of this House, and by Lord Macaulay. That might avail something; but if it is all to go for nothing, I ask on what principle, having first broken up the electoral system of these boroughs and taken away their franchise, you begin to reconstruct them in groups? If you are actuated by a veneration for antiquity, or by an indisposition to destroy a state of things which is, if not carried too far, in no slight degree advantageous, and eases very much the working of the government of the country, besides introducing into this House a class of persons some of whom you would do very badly without—if that be so, leave these boroughs alone. If it be not, deal with the question in a bold and manly spirit; but do not take a thing away from them because you say it is wrong they should have it, and then give it them back again in part because you say it is right they should have it. That involves a contradiction. Look at what you are doing. You take away the franchise from these places and then you limit yourself by giving it to

boroughs which have previously possessed it. You unite together boroughs that have been in the habit of engrossing for themselves all the care and attention of a single member, who is obliged to pay great regard to their wishes, to look after their little wants, to pet them and coddle them and make much of them. That which he has been used to do for one of these boroughs he will still be expected to do, and must do, after they are grouped; and what he does and pays for one of the group he will have to do and pay for all the rest. Not one of the three or four will bate one jot or tittle of its claim upon the member, or candidate, but everything will be multiplied by so many times as there are separate places in the group. You must have as many agents in each of them, you must give as many subscriptions to their charities, their schools, and their volunteers. Everything of that kind, in fact, will be multiplied by this system three or four fold. Now these boroughs at present give you a great advantage. All must admit that there is an advantage, if it is not bought too dear, in having means by which persons who are not of large fortune can obtain seats in this House. But by this Bill you take away that one clear

advantage of these boroughs, the one thing for which, I think, they very worthily exist—you make them very expensive constituencies; and you then retain them out of veneration for antiquity and from a traditionary feeling, when you have stripped them of the very merit which recommends them to the friends of the Constitution! Well, sir, it is polygamy for a man to marry three or four wives; but that comparison does not do justice to this particular case, because you enforce an aggravated form of political polygamy by asking a man to marry three or four widows. The House need not be afraid of my pursuing that branch of the subject. The best that can be said for the Ministerial Bill—at least what has been said for it—is that it is intended to remove anomalies. I really know of no other defence that is offered for it than that. Well, sir, mankind will tolerate many anomalies if they are old, and if as they have grown up they have got used to them. They will also tolerate anomalies if they have been necessarily occasioned by the desire to work out improvements. But when people set about correcting anomalies, and so do their work as to leave behind them and to create even worse anomalies than any they

found existing, neither gods nor men can stand it. Is not that the case here? I would briefly call attention to two or three of the proposed groups. In Cornwall you have Bodmin, Liskeard, and Launceston, with 18,000 inhabitants between them, thrown into a group; but the towns of Redruth, Penzance, and others, making up altogether 23,000, in the same county, are left without the means of representation. Then, in the county of Devon, you are to have Totnes joined with Dartmouth and Ashburton, and by putting the three places together you only get 11,500 people; but there is Torquay, with 16,000, that you leave entirely unrepresented. I should not object to that, because if a thing works well you do not do wrong in leaving it alone; but if you do begin to meddle with it, it is monstrous to turn everything upside down, and then introduce a thousand times greater anomalies than those you have removed. People will bear with anomalies that are old, historical, and familiar, and that, after all, answer some useful end; but they revolt at them when you show them how flagrant an injustice and inequality the House of Commons or the Government will perpetrate in the name of equality

and justice. Then there is the group of Maldon and Harwich, thirty miles apart. The Chancellor of the Duchy of Lancaster was much shocked at our objecting to these boroughs being joined in this extraordinary way; but, sir, were we not told by the Chancellor of the Exchequer that these things were done upon geographical considerations? The geographical considerations referred to by the Chancellor of the Exchequer appear to me to mean, as interpreted by his Bill, that the members for the towns to be grouped should learn as much geography as possible by having as large distances as possible to travel over. Then we have in Gloucestershire and Worcestershire, Cirencester, Tewkesbury, and Evesham, with 16,000 inhabitants; but in Worcestershire alone you have Oldbury and Stourbridge, with a population of 23,000, which remain utterly unrepresented. Again, there is the case of Wells and Westbury, which scrape together 11,000 inhabitants, while between the two we find Yeovil with 8000, and for which nothing is done. In Wiltshire, Chippenham, Malmesbury, and Calne have 19,000 inhabitants, but a very few miles from Calne is Trowbridge, with 9626 inhabitants, the

second town in the county, which you leave unrepresented. In Yorkshire, Richmond and Northallerton scrape together 9000 inhabitants, while for Barnsley, with 17,000, Doncaster, 16,000, and Keighley, 15,000, you do nothing at all. Such things may be tolerable when they have grown up with you, but they are utterly intolerable when a Government interferes, and introduces a measure which overlooks such cases while professing to take numbers as its guide. The Government has repudiated geographical considerations, but it is more absurd if taken numerically. Here is, however, something worse than an anomaly. It is a gross injustice. The House is aware—with the two exceptions of Bewdley and Droitwich, which are probably to be accounted for by haste and carelessness, the matter being a small one—that all the boroughs having a less population than 8000 inhabitants are dealt with in some way or other. There are two ways of treating these boroughs. There is a gentler and a severer form. There are eight boroughs which are picked out for what I call the question ordinary—that is, losing one member; and the remainder, a very large number, are picked out and formed into sixteen groups, this being

the extraordinary or exquisite torture of being pounded to pieces, brayed in a mortar, and then renovated. In judging of the treatment which these boroughs receive, I think some principle ought to be observed. The geographical principle has been ostentatiously set aside, and look at what has happened to the numerical principle. There is Newport, in the Isle of Wight, with 8000 inhabitants, which loses only one of its members, and is not grouped; while Bridport, with 7819 inhabitants, loses both its members and is grouped. There are seven boroughs having smaller populations than Bridport from which only one member is taken, and they are not grouped; while Bridport, with a large population, has both its members taken and is grouped. Is it on account of geographical considerations that it is coupled with Honiton, nineteen miles off? [An honorable member: Twenty-one!] That is not anomaly. It is simply a gross injustice. There is Chippenham, with 7075 inhabitants. Chippenham, as every one knows, is a rising railway town. Yet it is grouped; while there are five boroughs which contain fewer inhabitants than Chippenham which will each continue to return one member. Going a little further, we find

Dorchester, with 6779 inhabitants, and three boroughs smaller than itself. Dorchester loses both members, while the three boroughs smaller than Dorchester retain one member. They are Hertford, Great Marlow, and Huntingdon. I can simply attribute the cause of this to the great haste, carelessness, and inadvertency which have characterized this measure. I am far from attributing it to any improper motives. I have not the slightest notion of anything of the kind. It arises, I believe, from the mere wantonness or carelessness of the Government hurrying forward a Bill which they did not intend to bring in, and which they were at last compelled to bring in, contrary to all their declarations. Between Huntingdon, the smallest borough that loses one member, and Newport, the largest, there are seventeen boroughs, nine of them returning one member each and eight returning two, all of which have larger population than Huntingdon, which is allowed to retain one member while they are grouped. The reason I cannot tell, but there stands the anomaly. This grouping of boroughs cannot therefore, I say, be satisfactory to any class of gentlemen. Of course, it is not satisfactory to the small boroughs. They

are material out of which other people are to be compensated, and of course no one likes to be included in such a process. But I cannot imagine that it can be satisfactory to gentlemen who call for those measures with a view to remove anomalies and promote equality, and make the Parliament a more accurate representative of the population of the country. It seems to me that everybody must be dissatisfied with such a proceeding as this. The House need not take all these groups as they stand, because any one of them might be remedied in Committee, but the whole principle of the thing is so bad that it is absolutely impossible to deal with it in Committee at all. I have been assuming hitherto that we have good grounds for getting these forty-nine members that are wanted, but that depends entirely upon the use the Government make of them when they have them. What do they do with them? They propose to give out of these forty-nine twenty-five as third members to counties, and four as third members to large towns, and seven to Scotland. I deny that a case is made out in favor of this arrangement. The honorable gentlemen opposite with whom I sympathize so much on this question may not

perhaps agree with me on this point. I maintain that it is a mere illusion, as things now stand and looking at these two measures as a whole, to talk of county representation; you must look at the two things together, franchise and redistribution, and you must remember that the counties you give these members to are to become really groups of towns. Every one knows very well where the houses between £14 and £50 are to be found. They are to be found, not in the rural districts, but in the towns. What you are preparing to do for the counties' members is to make a total change in the nature of their constituency. But under the system proposed the county members would no longer represent a constituency which from its present and peculiar character can easily be worked as a whole. When you lower the franchise as proposed you have taken the power out of the rural districts and given it to small towns, with probably an attorney in each. When you speak of giving a third member to counties you must remember that you are talking of counties not as they are now, but as you propose to make them. It is an illusion, therefore, to say that a great deal is done for the rural districts in thus adding members to the

counties, and this will be the more easily understood if you have not forgotten the opinion of Lord Russell, who says how materially the small boroughs assist the counties in maintaining the balance of power. I altogether decline to be caught by that bait. But, putting that aside, on what principle are we to give three members to counties? It has been the practice to give two members to counties from time immemorial, with a slight exception at the time of the Reform, which is by no means generally approved. I am willing to accept the fact without stopping to inquire too curiously whether this number was fixed upon because they slept in the same bed or rode on the same horse on their journeys to London. But, if you come to make it a general practice to give three members to counties, I think we are entitled to ask upon what principle this is to be done. For my own part, I can suggest no other principle than the mere worship of numbers. It is quite a new principle that numbers should not only be represented in this House because they are important, but that that importance should entitle them to more votes. The House will recollect that every member has two separate and distinct duties

to perform. He is the representative of the borough which sends him to Parliament, and he has to look after its local interests to the best of his power. That is a small and, in the mild and just times in which we live, generally a comparatively easy duty, but his greater and more pre-eminent duty is to look after the affairs of the Empire. The real use, therefore, of an electoral district, be it small or large, is one more important than the adequate representation of the numbers of any particular place, so long as they are represented. It is that it should send to Parliament the persons best calculated to make laws, and perform the other functions demanded of the members of the House. This seems to me to go directly against the principle that these great communities are not only entitled to send competent gentlemen to represent their affairs, but to send as many members as will correspond with their weight in the country. If once you grant this principle you are advancing far on the road to electoral districts and numerical equality. I say this is the mere principle of numbers. If the principle be once established, it is very easy to give it extension. Scarcely a meeting is assembled on this subject without some man

getting up and complaining that the member for a small borough, myself, for instance, should have a vote which will counterbalance the vote of a representative of a borough containing 200,000 or 300,000. If it was a fight for the good things of this world between Calne and Birmingham, I could understand how such a principle might be adopted; but when it is a question of making the laws and influencing the destinies of this country, the question is not which is the larger body, but which best discharges its duty in sending members to Parliament. I cannot find a trace of that principle in the whole of this Bill, for it is clear that there is no such idea in giving these three members to counties. They are mere concessions to the importance of the constituencies to which they are given, while the small boroughs are grouped in a manner likely to promote mediocrity, because gentlemen of shining qualities and useful attainments will scarcely be able to contest them, unless possessed of great wealth. I cannot bring my mind to the idea of giving three members to those large constituencies. We should, on the whole, be far better without those twenty-nine members. We had better use for them. Now, I have

gone through the details of this Bill; and perhaps the House will allow me to sum up what I think of the whole effect of the Ministerial measure. You say how frightful the expenses of elections are, and declare that they are a canker-worm in the very heart of the Constitution. Yet what is the effect of this Bill with regard to the legitimate expenses of elections? The Government are proposing to increase the size of the constituency of every borough in the kingdom. Will they decrease expense? They propose to disfranchise small boroughs; and instead of subdividing districts with a view to make more manageable constituencies, except in the case of the Tower Hamlets and South Lancashire, a senseless homage is paid to mere numbers, adding to that which is already too much. Then there is another thing. It is the duty of every man who calls himself a statesman to study the signs of the times, and make himself master, as far as he can, of the tendencies of society. What are those signs and tendencies? I suppose we shall none of us doubt that they are tending more or less in the direction, as I said before, of uniformity and democracy. What, then, is the duty of a wise statesman under

such circumstances? Is it to stimulate the tendencies which are already in full force and activity, or is it not rather, if he cannot leave matters alone, to see if he cannot find some palliative? If he cannot prevent the change which stronger powers are working, should he not make that change as smooth as possible, and not by any means accelerate it? But the whole of this Bill is not in the way of moderating, but stimulating existing tendencies. It is not always wise, and the observation is as old as Aristotle, to make a law too accurately in correspondence with the times or the genius of the Government under which you live. The best law that could be made for the United States would not be one peculiarly democratic. The best law for the French Government to enact is not one of an ultra-monarchical character. There is sound wisdom in this, and it should be kept well in mind; but it seems to have been by no means considered by the framers of the crude measure before us.

> "But our new Jehu spurs the hot-mouthed horse,
> Instructs him well to know his native force,
> To take the bit between his teeth and fly,
> To the next headlong steep of anarchy."[37]

Passing to another point, I have to remind you

that the Chancellor of the Exchequer frightened us the other day by giving us a prose version of Byron's poem on "Darkness," when we were told that our coal was all going to be consumed, and that we were to die like the last man and woman of our mutual hideousness. Upon that the Right Honorable Gentleman founded a proposition; and never was so practical a proposition worked out upon so speculative a basis. "You will have no coal in one hundred years," he says, "and, therefore, pay your debts"; and, addressing the honorable gentlemen opposite, he says, "Commerce may die, navigation may die, and manufactures may die,—and die they will,—but land will remain, and you will be saddled with the debt." That was the language of the Right Honorable Gentleman. Now, if we are to pay terminable annuities on the strength of the loss of our coal, do not you think we may apply the same dogma to this proposed reform of our Constitution? What is the Right Honorable Gentleman seeking to do by this Bill? He is seeking to take away power of control from the land—from that which is to remain when all those fine things I have mentioned have passed away in the future—from that which will be eventually

saddled with the whole burden of the debt, and to place it in these fugitive and transitory elements which, according to the account he gave us, a breath has made and a breath can unmake. I ask, is that, upon the Right Honorable Gentleman's own showing, sound prospective wisdom? I do not deal myself with such remote contingencies; I offer this simply as an *argumentum ad hominem.* I should like to hear the answer. I have a word to say with regard to the franchise. We have had a little light let in upon this subject. We are offered, as you all know, a £7 franchise. It is defended by the Chancellor of the Exchequer upon two grounds—flesh and blood, and fathers of families. The £7 franchise is defended by the honorable Member for Birmingham upon another ground; he takes his stand on the ancient lines of the British Constitution. I will suggest to him one line of the British Constitution, and I should like to know whether he means to stand by it. In his campaign of 1858, in which he had taken some liberties with the Crown and spoke with some disrespect of the Temporal Peers, he came to the Spiritual Peers, and this was the language he employed. He said, "That creature of monstrous—nay,

of adulterous birth." I suppose there is no part of the British Constitution much more ancient than the Spiritual Peers. Is that one of the lines the honorable gentleman takes his stand upon? Again, the Attorney-General, having recovered from the blow the grouping of Richmond must have been to him, has become a convert, and like most converts he is an enthusiast. He tells us that he is for the £7 franchise because he is in favor, like the honorable Member for Birmingham, of household suffrage.[88] These are the reasons which are given in order to induce us to adopt the £7 franchise. I ask the House, is there any encouragement in any of these arguments to adopt it? The Chancellor of the Exchequer says it is flesh and blood; it is a very small instalment of flesh and blood, and none can doubt that any one asking for it upon that ground only asks for it as a means to get more flesh and blood. The honorable Member for Birmingham stands upon the Constitution, and he puts me in mind of the American squib which says:

> "Here we stand on the Constitution, by thunder,
> It 's a fact of which there are bushels of proofs,
> For how could we trample upon it, I wonder,
> If it wasn't continually under our hoofs."

Well, the honorable gentleman asks the £7 upon the ground that it is constitutional—that is, upon the ground of household suffrage. He wants it with a view of letting us down gently to household suffrage. The Attorney-General, of course, means the same. In fact, he said we ought to do it at once. But see what a condemnation the Attorney-General passes upon the Government of which he forms a part. He says: "You have taken your stand upon the £7 franchise. The ground you take is so slippery and unsafe, so utterly untenable, that I would rather go down to the household suffrage at once—to the veriest cabin with a door and a chimney to it that can be called a house. There I may perhaps touch ground." What encouragement do these gentlemen give us to take the £7 franchise? Yet the honorable Member for Westminster says that £7 is no great extension, and out of all comparison with universal suffrage; so he excuses himself for having thrown overboard all the safeguards which he has recommended should be girt round universal suffrage. I do not object to his throwing them overboard. Checks and safeguards, in my opinion, generally require other safeguards to take care of them. The

first use universal suffrage would make of its universality would be to throw the safeguards over altogether. He says the £7 franchise has nothing to do with safeguards. The Chancellor of the Exchequer goes to universal suffrage, and the other two to whom I have referred profess they go to household suffrage. Do you think you could stop there? You talk of touching ground—would it be solid ground or quicksand? You think that when you have got down to that you can create a sort of household aristocracy. The thing is ridiculous. The working-classes protest even now against what they call a brick-and-mortar suffrage. They say, "A man 's a man for a' that." The Bill appears to me to be the work of men who

> "At once all law, all settlement control,
> And mend the parts by ruin of the whole.
> The tampering world is subject to this curse,
> To physic their disease into a worse." [89]

What shall we gain by it? I have not, I think, quibbled with the question. I have striven to do what the Government have evaded doing—to extract great principles out of this medley, for medley it is, composed partly out of veneration for numbers and partly

out of a sort of traditional veneration for old boroughs, which are to be preserved after what is beneficial in them has been taken from them. Then we have to consider the proposed county franchise, founded, as it has been said, upon utter ignorance. It is quite evident that this Bill has been framed without information, because the Chancellor of the Exchequer, as is well known, has told us that the only copy he had—I may be right; at any rate I cannot be wrong until I have stated it somehow—the Chancellor of the Exchequer told us that the only copy he had of those statistics was the one which he was obliged to lay on the table of the House. If I am wrong, let the Right Honorable Gentleman contradict me.

THE CHANCELLOR OF THE EXCHEQUER: I spoke of the last absolutely finished copy. The substance of those statistics, as far as regarded the general bases of the measure, had been in our hands for weeks before that time, but was not in a state to be placed on the table of the House until all the columns had been filled in.

MR. LOWE: Well, sir, that finished document is what I call a copy. It may be that the Bill was originally drawn for £6 and £12, and

that at the last moment £7 and £14 were substituted, and that it was regarded as a matter of little consequence what the exact figures were. As to the element of time, I suppose, however, I must not say anything, or the Right Honorable Gentleman will be angry with me. The twelve nights that he gave us for the Franchise Bill are pretty well gone, and we have now got what he never contemplated we should have, a Redistribution Bill as well. I suppose I had better say nothing about the support the Government will have, or I had better veil it in a dead language and say, *Idem trecenti Juravimus.*[20] I would ask the Chancellor of the Exchequer how he can expect to get the Bill through the Committee under those circumstances, bearing in mind that most of the newspapers that lay claim to intelligence and write for educated persons, having begun with rather vague notions of liberality, have written themselves fairly out of them, and that educated opinion is generally adverse to this measure. These, sir, are the prospects we have before us. We have a measure of the most ill-considered and inadequate nature, which cannot be taken as it is, and which, as I understand it, is based on principles so absolutely

subversive and destructive—the grouping, for instance—that if we were ever so anxious to aid the Government we could not accept it. Well then, sir, what objection can there be to the advice given to the Government by my honorable friend, the Member for Dumfries,—no hostile adviser,—to put off the question for another year, and give the educated opinion of the country time to decide on this matter? What are the objections to such a course? There are only two that I know of. One is, that the honorable gentlemen are anxious for a settlement. But are there materials for a settlement in the Bill before us? How, for instance, can you settle the grouping? If you retain the principle on which the Government act, that of grouping those boroughs that have already members, you may do a little better than they have done, because they seem to have gone gratuitously wrong; but you cannot make an effective measure of it, and one that would stand. I am convinced that it would generate far more inequality than it seeks to remove. Then, the giving the constituencies three members is a principle of the greatest gravity and weight, not only for its actual results, but because it really concedes the

principle of electoral districts. That, surely, is a matter not to be lightly disposed of; nor do I see how it can be compromised, because if the Government gives it up, it must select some other apportionment, which can only be done by creating other electoral districts. Then, as regards the franchise: no doubt that we could get through, because it would only be dealing with a figure, and I dare say there are many honorable gentlemen whose opinions are entitled to great weight who would like a compromise on the franchise. But then you have to consider this, that a compromise on the franchise is a capitulation. Take what I said of the opinions of the Chancellor of the Exchequer, the honorable Member for Birmingham, and the Attorney-General, and it is just as true of £8 as of £7, and of £9 as of £8. If you once give up the notion of standing on the existing settlement, so far as the mere money qualification for the franchise is concerned, whatever other qualifications you may add to it, you give up the whole principle. As the Attorney-General himself sees, you must go down to household suffrage at last—whether any farther is a matter on which men may differ, though, for my part, I think you would have to go

farther. I must say, therefore, that I can see no materials for a compromise in the borough franchise part of this Bill, and I come therefore to the conclusion that, desirable as it would be, weary as we all are of the subject, and anxious as we all are to get rid of it, there is no place for a compromise. The divergence is too wide; the principles are too weighty; the time is too short; the information is too defective; the subject is too ill-considered. Well, then the other objection to a postponement is that, as my Right Honorable friend, the Secretary for the Colonies, told us, the honor of the Government would not permit them to take that course. Now, I think we have heard too much about the honor of the Government. The honor of the Government obliged them to bring in a Reform Bill in 1860.[21] It was withdrawn under circumstances which I need not allude to, and as soon as it was withdrawn the honor of the Government went to sleep. It slept for five years. Session after session it never so much as winked. As long as Lord Palmerston lived honor slept soundly; but when Lord Palmerston died, and Lord Russell succeeded by seniority to his place, the "Sleeping Beauty" woke up. As long as the

Government was kept together by having no Reform Bill, honor did not ask for a Reform Bill; but when, owing to the peculiar predilections of Lord Russell, the Government was best kept together by having a Reform Bill, honor became querulous and anxious for a Reform Bill. But that, Sir, is a very peculiar kind of honor. It puts me in mind of Hotspur's description:

> " By Heaven, methinks it were an easy leap,
> To pluck bright honor from the pale-fac'd moon,
> Or dive into the bottom of the deep,
> Where fathom-line could never touch the ground,
> And pluck up drowned honor by the locks;
> So he that doth redeem her thence might wear,
> Without corrival all her dignities." [88]

That is, as long as honor gives nothing, she is allowed to sleep, and nobody cares about her, but when it is a question of wearing " without corrival all her dignities," honor becomes a more important and exacting personage, and all considerations of policy and expediency have to be sacrificed to her imperious demands. But then there is another difficulty. The Government have told us that they are bound in this matter. Now, " bound " means contracted, and I want to know with

whom they contracted. Was it with the last House of Commons? But the plaintiff is dead, and has left no executor. Was it with the people at large? Well, wait till the people demand the fulfilment of the contract. But it was with neither the one or the other, because the Under-Secretary for the Colonies let the cat out of the bag. He said that he himself called upon Earl Russell to redeem their pledge. I suppose he is Attorney-General for the people of England. He called upon the Government to redeem their pledge. Now, one often hears of people in insolvent circumstances, who want an excuse to become bankrupt, getting a friendly creditor to sue them. And this demand of the honorable gentleman has something of the same appearance. But there has been a little more honor in the case. The Government raised the banner in this House, and said they were determined that we should pass the Franchise Bill, without having seen the Redistribution Bill. Well, they carried their point, but carried it by that sort of majority that though they gained the victory they scarcely got the honor of the operation, and if there was any doubt about that I think there was no great accession of

honor gained last Monday in the division, when the House really by their vote took the management of the Committee out of the hands of the Executive. All these things do not matter much to ordinary mortals, but to people of a Castilian turn of mind they are very serious. Sir, I have come to the conclusion that there must be two kinds of honor, and the only consolation I can administer to the Government is in the words of Hudibras:

> "If he that 's in the battle slain
> Be on the bed of honor lain,
> Then he that 's beaten may be said
> To lie on honor's truckle bed." [33]

Well, sir, as it seems to be the fashion to give the Government advice, I will offer them a piece of advice, and I will give them Falstaff's opinion of honor:

> "What is honor? . . . a trim reckoning. . . . I 'll none of it. Honor is a mere scutcheon: and so ends my catechism." [34]

Sir, I am firmly convinced—and I wish, if possible, to attract the serious attention of the House for a few moments—that it is not the wish of this country to do that which this Bill

seeks to do. There is no doubt the main object of this Bill is to render it impossible for any other Government than a Liberal one to exist in this country for the future. I do not say that this object would appear an illegitimate one in the eyes of heated partisans and in moments of conflict, for we are all of us naturally impatient of opposition and contradiction, and I dare say such an idea has occurred to many Governments before the present and to many Parliaments before this; but I do say that it is a shortsighted and foolish idea, because if we could succeed in utterly obliterating and annihilating the power of the honorable gentlemen opposite all we should reap as the result of our success would be the annihilation of ourselves. The history of this country—the glorious and happy history of this country—has been a conflict between two aristocratic parties, and if ever one should be destroyed the other would be left face to face with a party not aristocratic, but purely democratic. The honorable Member for Birmingham said with great truth the other day that if the purely aristocratic and the purely democratic elements should come into conflict the victory would, in all probability, be on the side of democracy.

The annihilation of one of the aristocratic parties—and I know it is in the minds of many, though, of course, it is not openly avowed—would be a folly like that of a bird which, feeling the resistance the air offers to its flight, imagines how well it would fly if there was no air at all, forgetting that the very air which resists it also supports it, and ministers to it the breath of life, and that if it got quit of that air it would immediately perish. So it is with political parties; they not only oppose, they support, strengthen, and invigorate each other, and I shall never, therefore, be a party to any measure, come from whichever side of the House it may, which seeks so to impair and destroy the balance of parties existing in this country that whichever party were in office should be free from the check of a vigorous opposition, directed by men of the same stamp and position as those to whom they were opposed. I do not believe that is an object of this Bill which the people of this country will approve, nor do I believe that they wish materially to diminish the influence of the honorable gentlemen opposite. There are plenty of gentlemen who do wish it, but I do not believe it is the wish of the country, and therefore I

believe they would have looked with much greater satisfaction on the principle of grouping if it had not been so studiously confined to represented boroughs, and if, instead of first swamping the counties by a low franchise, and then offering the illusory boon of three members, it had relieved the county constituencies of considerable portions of the great towns by an efficient Boundaries Bill, and had erected some of the towns which now almost engross the county representation into distinct constituencies. And while passing by that point, let me say that the provisions with regard to boundaries appear to me to be one of the most delusive parts of the whole Bill, because the effect of them is that no suburbs not now included in the municipal district can be included in the Parliamentary district, unless those who live in these suburbs are content to saddle themselves with municipal taxation. I do not believe the country wishes to see the door to talent shut more closely that it is, or this House become an assembly of millionaires. I do not believe the country would look with satisfaction on the difference of tone within the House which must be produced if the elements of which it is the result are altered. Nor do I

believe that it will look with satisfaction on that inevitable change of the Constitution which must occur if these projects are carried into execution—a change breaking the close connection between the executive Government and the House of Commons. I believe sincerely that this House is anxious to put down corruption, and I will say again at any risk of obloquy that it is not the way to put down corruption to thrust the franchise into poorer hands. If we are really desirous of achieving this result there is but one way that I know of, and that is by taking care that you trust the franchise only to those persons whose positions in life give security that they are above the grosser forms of corruption. And if you do prefer to have a lower constituency, you must look the thing in the face—you will be deliberately perpetuating corruption for the sake of what you consider the greater good of making the constituencies larger. These are things which I do not believe the people of this country wish to have. And, therefore, I believe that you will be acting in accordance with sound wisdom and enlightened public opinion of the country by deferring this measure another year. I press most earnestly for delay. The matter is

of inexpressible importance; any error is absolutely irretrievable; it is the last thing in the world which ought to be dealt with rashly or incautiously. We are dealing not merely with administration, not merely with a party; no, not even with the Constitution of the kingdom. To our hands at this moment is intrusted the noble and sacred future of free and self-determined government all over the world. We are about to surrender certain good for more than doubtful change; we are about to barter maxims and traditions that have never failed for theories and doctrines that never have succeeded. Democracy you might have at any time. Night and day the gate is open that leads to that bare and level plain, where every ant's-nest is a mountain and every thistle a forest tree. But a government such as England has, a government the work of no human hand, but which has grown up, the imperceptible aggregation of centuries—this is a thing which we only can enjoy; which we cannot impart to others; and which, once lost, we cannot recover for ourselves. Because you have contrived to be at once dilatory and hasty heretofore, that is no reason for pressing forward rashly and improvidently now. We are

not agreed upon details, we have not come to any accord upon principles. To precipitate a decision in the case of a single human life would be cruel. It is more than cruel—it is parricide in the case of the Constitution, which is the life and soul of this great nation. If it is to perish, as all human things must perish, give it at any rate time to gather its robe about it, and to fall with decency and deliberation.

> "To-morrow!
> Oh, that 's sudden! spare it! spare it!
> It ought not so to die."[85]

THE RIGHT HONORABLE JOSEPH CHAMBERLAIN, M.P.

IN the delicate task of appraising a contemporary—and that contemporary a prominent figure in a kindred state—a writer will naturally feel hesitation. This hesitation will be increased when it is considered that the subject of the notice lives and moves in the contested fields of party politics, and that to his own Englishmen the character of Mr. Chamberlain may admit of two interpretations. But none can deny him the meed of an early and continued success as a man and a publicist. And the real *crux* of the question centres about his transferral of party allegiance.

The Right Honorable Joseph Chamberlain, M. P. for West Birmingham, and Secretary of State for the Colonies, was born in London in 1836. As a young man he removed to Birmingham to become a partner in a manufactur-

ing business. This enterprise he carried to such great success that in 1874 he retired definitely from its active management to devote himself to municipal affairs. Unusually honored by the city by three successive elections to the mayoralty, he was largely instrumental in bringing about such reforms as the construction of new streets and the municipal assumption of the gas and water monopolies. In 1876 he first entered Parliament as Liberal member for Birmingham; in 1886 he was returned as a Liberal opposed to Home Rule. Meanwhile he had become so prominent a member of the party that in spite of his known aversion to Home Rule, Mr. Gladstone was constrained to bid him to Government office as President of the Board of Trade, with the greatest possible latitude of independence for Mr. Chamberlain seemingly implied. Nevertheless, in March, 1886, he thought it necessary to resign his allegiance to the orthodox, Home-Rule Liberals, and with other Liberal Unionists, as they are called, he has since



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faithfully supported the Conservative leader, Lord Salisbury. It is this action obviously that has drawn on his head certain criticisms. At the formation of the present Ministry, in 1895, he accepted from Lord Salisbury the office of Secretary of State for the Colonies, in which he continues.

In a life that has thus covered more than sixty years, Mr. Chamberlain has exhibited in a marked degree the peculiarly British qualities of great private enterprise and pronounced public spirit. He has stood always upon the broad, utilitarian platform of the British manufacturer and man of affairs,—that common-sense and the philosophy of Franklin rule the world; that it is good for the British Empire that her sons should prosper and accumulate riches; and that what is good for the British Empire is good for the outlying portions of the planet. Despite the lack of the ideal and the smack of frank Philistinism in this doctrine, as a working theory it has the merit of continual demonstration up and down life; it is a

philosophy that can teach by example; and of most men it will always be the cult. Naturally, then, Mr. Chamberlain from the start has championed the ideas of Imperial Federation and Free Trade between the Mother Country and the Colonies. In a word he is the apostle of the "Open Door." His lifelong opposition to Home Rule for Ireland proceeds not so much from inherent Conservatism as from an abhorrence of any centrifugal tendency in the Empire. Doubtless he would be willing to grant any reasonable concessions to Ireland short of the only thing the Irish insist on having. His withdrawal from the Gladstonian Liberals was consistent and inevitable.

Mr. Chamberlain has travelled widely. Always has he come home with his convictions as to Impereial policy strngthened. It would be unfair to cite him as one of those of English travellers, satirized by Mr. Chapman,* who set forth on the Grand Tour with their ideas and their portmanteaus and return with their port-

* "Emerson and Other Essays."

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manteaus and their ideas. But to one of Mr. Chamberlain's way of thinking either the British Empire or the empires not British are bound to be an instructive sight. In Egypt, the theory is proved: in Madagascar, say, or German East Africa, the theory is also proved. The successful colony—where is it not Anglo-Saxon? And the theory really seems to be true.

When Mr. Chamberlain was called to the Salisbury Ministry, surprise was expressed in England that it was to the Colonial Secretaryship, a billet which had been considered to be of secondary importance. It does not appear that Mr. Chamberlain has considered it such. He has certainly made the position one of increasing importance; as Secretary for the Colonies he has been able decidedly to further the policies to which he is devoted. Events, too, have served him, as they often do the strenuous, single-minded man. In the outburst of loyalty and the tightening of the Imperial bonds that followed the Venezuelan

incident and the Jameson Raid, the cards certainly came his way. As a man, Mr. Chamberlain has been fortunate in that he has seen his own doctrines already justified in himself, at least; as a statesman, the trend of British politics would seem to be toward the adoption of his views.

Mr. Chamberlain has never been an orator. Few are the phrases he has coined; fewer still the memorable speeches, — the moments of forensic distinction. He has perhaps been heard at his best at the meetings of societies and clubs, whether as chairman or in response to toasts. His style is informal, unpretentious, but emphatic. The limitations of his temperament keep him from any elevation of style; it is always the practical, business-like Briton that speaks. The graces of oratory do not attend him,—unless the exercise of unfailing tact be counted one. Nevertheless his speeches have the weight that accompanies the utterances of a man devoted to facts and fully in command of them. He is probably

to-day (1899) one of the most quoted of British public men.

Personally Mr. Chamberlain is apparently not widely popular. The singularly youthful face, the orchid, and the monocle, have lent themselves readily to political caricature, in which often there has seemed more than a good-natured intention. And yet, if he is not a popular hero, the English public do him the honor to take him seriously. His pronouncements on current affairs may not be received as *ex cathedra*, but they are the pronouncements of the day that are talked about. A fair estimate of the Secretary for the Colonies will doubtless be that there are few men alive who are more sincerely devoted to what they believe the honor and glory of the British Empire.

JOSEPH CHAMBERLAIN.

SPLENDID ISOLATION.

On January 21, 1896, at a banquet given in London to Lord Lamington on the eve of his departure for Queensland as Governor of the Colony, Mr. Chamberlain presided. It will be remembered that no less than three events had recently occurred to shock the dreams of the amiable sentimentalists who had decided to abolish war forever between the nations. It was the period of President Cleveland's Venezuelan Message, of Dr. Jameson's raid into the Transvaal, and of the German Emperor's telegram of sympathy to President Krüger. For the moment England realized keenly that she stood alone: the Anglo-Saxon world it seemed was split in twain—not only German but American arrayed against the Englishman. Then came the outburst of loyalty from the colonies, the marvellously swift equipment of a "Flying Squadron"—and lo! after all, "Splendid Isolation" was felt to be a fine thing. The thrill of mutual interests, of Imperial solidarity, finds emphatic expression in this speech of the Secretary for the Colonies. With one exception, the marks of applause, though frequent in the report of the speeches, have been omitted.

I think that I see before me a representative gathering of British subjects, whose principal interests lie in that great group of

Australian colonies, whose present greatness and importance give us but a faint indication of the splendid future which awaits them. For of one thing I am certain, whatever may be the fate of the old country—and even as to that I have sufficient confidence—no man can doubt that our vigorous offspring in the Southern Seas are bound at no distant time to rival the older civilization of the Continent of Europe in wealth, in population, and in all the attributes of a great nation. But, although, as I have said, your interests lie in this direction, I have an instinctive feeling that to-night you are thinking not so much of Australian politics and of Australian progress as you are of events that have recently occurred in another quarter of the globe and of their connection with Imperial interests. If that be so, I hail the fact as another proof of the solidarity of Imperial sentiment in making it impossible that a blow can be struck, or a chord sounded, in even the most distant portion of the Queen's dominions, without an echo coming back from every other part of the British Empire.

It would be inopportune in me, it would be improper, if I were to dwell on the incidents which have diverted attention to South Africa.

Those incidents will be the subject of judicial inquiry in this country and in Africa, and I assume that, with the fair-mindedness which distinguishes them, my countrymen will wait to hear both the indictment and the defence before they pronounce a judgment. But, in the meantime, I will venture to say that I think there is a tendency to attach too much importance to sensational occurrences which pass away and leave no trace behind, and not enough to the general course of British policy and the general current of colonial progress. I have heard it said that we never have had a colonial policy, that we have simply blundered into all the best places in the earth. I admit that we have made mistakes. I have no doubt that we are answerable for sins of commission as well as for sins of omission; but, after all is said, this remains—that we alone among the nations of the earth have been able to establish and to maintain colonies under different conditions in all parts of the world, that we have maintained them to their own advantage and to ours, and that we have secured not only the loyal attachment of all British subjects, but the general good will of the races, whether they be native or whether they be European,

that have thus come under the British flag. This may be a comforting assurance when we think of occasional mistakes, and when we are rebuked even for our misfortunes we may find some consolation in our success.

There is, gentlemen, another consideration which I think is not inappropriate to such a gathering as this. A few weeks ago England appeared to stand alone in the world, surrounded by jealous competitors and by altogether unexpected hostility. Differences between ourselves and other nations which were of long standing appeared suddenly to come to a head and to assume threatening proportions; and from quarters to which we might have looked for friendship and consideration—having regard to our traditions and to a certain community of interest—we were confronted with suspicion, and even with hate. We had to recognize that our success itself, however legitimate, was imputed to us as a crime; that our love of peace was taken as a sign of weakness; and that our indifference to foreign criticism was construed into an invitation to insult us. The prospect of our discomfiture was regarded with hardly disguised satisfaction by our competitors, who, at the same time, must

have been forced to own that we alone held our possessions throughout the world in trust for all, and that we admit them to our markets as freely as we do our own subjects. I regret that such a feeling should exist, and that we should be forced to acknowledge its existence; but, as it does exist, I rejoice that it found expression. No better service was ever done to this nation, for it has enabled us to show, in face of all, that while we are resolute to fulfil our obligations we are equally determined to maintain our rights.

Three weeks ago, in the words of Mr. Foster, the leader of the House of Commons of the Dominion of Canada, "the great mother-empire stood splendidly isolated." And how does she stand to-day? She stands secure in the strength of her own resources, in the firm resolution of her people without respect to party, and in the abundant loyalty of her children from one end of the Empire to another.

The resolution which was conveyed to the Prime Minister on behalf of the Australian colonies, and the display of patriotic enthusiasm on the part of the Dominion of Canada, came to us as a natural response to the outburst of national spirit in the United Kingdom,

and as a proof that British hearts beat in unison throughout the world, whatever may be the distances that separate us.

Then let us cultivate those sentiments. Let us do all in our power by improving our communications, by developing our commercial relations, by co-operating in mutual defence, and none of us then will ever feel isolated; no part of the Empire will stand alone, so long as it can count upon the common interest of all in its welfare and in its security. That is the moral I have derived from recent events. That is the lesson I desire to impress on my countrymen. In the words of Tennyson, let

> "Britain's myriad voices call,
> 'Sons, be welded each and all,
> Into one Imperial whole,
> One with Britain, heart and soul!
> One life, one flag, one fleet, one Throne!'"

And in the time to come, the time that must come, when these colonies of ours have grown in stature, in population, and in strength, this league of kindred nations, this federation of Greater Britain, will not only provide for its own security, but will be a potent factor in maintaining the peace of the world.

Our guest to-night goes out to take his part in this work of drawing tighter the bonds which unite us to our children in the Antipodes. He goes to an infant colony, an infant which is destined to become a giant, and the future possibilities of which no man can measure. Queensland has an area, which—shall I say ?—is three times greater than the German Empire. (Laughter and cheers.) It has a soil which can produce anything. It has vast mineral resources. In a generation its population has increased fifteen-fold. It has already a revenue of three or four millions sterling. It has completed 2500 miles of railway. It has exports valued at ten millions sterling, all of them, except a small fraction, coming to the United Kingdom or to some of the British possessions. Yet this colony of Queensland, great as it is, is only one of seven, all equally important, equally energetic, equally prosperous, equally loyal. I say that the relations between these colonies and ourselves are questions of momentous import to us both, and I hope that our rulers and our people will leave no stone unturned to show the store that we all set on the continued amity, the continued affection, of our kindred beyond the sea. That is the message we ask

Lord Lamington to take with him, and we wish him health and prosperity in the colony over which he is about to preside.

In responding to the toast of "The Chairman," which was proposed by Sir James Garrick, Mr. Chamberlain said:

Nothing could be more gratifying to me than that this toast should have been proposed by the eloquent representative of the colony which we have met to honor as well as its future Governor, and nothing could be more agreeable than the kindly response which you have given to the toast. It almost emboldens me to think that there may yet be occasions upon which I shall venture to address my fellow-countrymen —a point on which, I admit, I have had grave doubts since I have become acquainted with certain criticisms of my recent performances. When I became Secretary of State for the Colonies I accepted with that office certain duties, not the least pleasant being that of presiding over gatherings similar to this. I attended a meeting of the friends of South Africa on an occasion interesting especially to

our colony of Natal, and I made a speech upon that occasion in which, in my simple and ingenuous way, I ventured to point out that this was on the whole a considerable Empire, and that any true view of its perspective would take into account the greatness of the colonies, and the magnitude of their resources, as well as the past history of the mother country. And thereupon I was surprised to read, in the report of a speech of a minor luminary of the late Government on the occasion of the recent raid into the Transvaal, that that unfortunate occurrence was entirely due to the "spread-eagle speech" which I had made. It is extraordinary what great events spring from trifling causes. I had no conception that my words would travel so far or have so great an influence. To the best of my knowledge and belief, I have never made a "spread-eagle" speech in my life. I think I have been able to distinguish between patriotism and jingoism. But in order that there may be no mistake, I desire to say now, in the most formal way, that the few remarks which I have addressed to you to-night are not to be taken as an intimation to any individual to carry on war on his own account, or to make an invasion upon

a friendly nation with which we are at present at peace. But this is not all, because this afternoon I read in an evening newspaper that this same speech, which I thought so natural and so innocent, was really the dictating cause of our difficulties in British Guiana, and of the complications with our cousins across the Atlantic. It appears that in speaking of Imperial unity, in endeavoring to popularize that idea among my countrymen, I am giving offence to other nations.

Gentlemen, I cannot help thinking that Lord Rosebery was mistaken when, a short time ago, he said that the " Little Englanders " no longer existed among us. A pretty pass we must have come to if the Minister who is responsible for the British colonies is forbidden to speak of their future, of their greatness, of the importance of maintaining friendly relations with them, of the necessity of promoting the unity of the British race, for fear of giving offence. I remember a story of a certain burgomaster in a continental town to whom complaints were made that naughty boys were accustomed to throw mud upon the passers-by. He was asked to intervene, and he issued a proclamation which was to the effect that all

respectable inhabitants were requested to wear their second-hand clothes in order not to give offence. I do not so understand the position which I hold. I decline to speak with bated breath of our colonies for fear of giving offence to foreign nations. We mean them no harm; we hope they mean us none. But not for any such consideration will we be withheld from speaking of points which have for us the greatest interest and upon which the future of our Empire depends. Sir James Garrick has kindly attributed to me very creditable motives in seeking the office which has been conferred upon me. He is perhaps not far wrong in thinking that I have long believed that the future of the colonies and the future of this country were interdependent, and that this was a creative time, that this was the opportunity which, once let slip, might never recur, for bringing together all the people who are under the British flag, and for consolidating them into a great self-sustaining and self-protecting Empire whose future will be worthy of the traditions of the race.

JOSEPH CHAMBERLAIN.

THE TRUE CONCEPTION OF EMPIRE.

This speech was delivered in London, March 31, 1897, at the annual dinner of the Royal Colonial Institute. The society and the occasion are sufficiently explained in the opening sentences. What follows is a broad and lucid statement of Mr. Chamberlain's conception of expansive Imperial policy. At the moment when in the United States the old blood is asserting itself and men are coming to weary of adventures in stocks and raids in pork products, to Americans the pronouncement is of peculiar interest. For the speaker is a practical statesman: he himself has seen working many of the doctrines he here publishes.

I have now the honor to propose to you the toast of "Prosperity to the Royal Colonial Institute." The Institute was founded in 1868, almost exactly a generation ago, and I confess that I admire the faith of its promoters, who, in a time not altogether favorable to their opinions, sowed the seeds of Imperial patriotism, although they must have known that few of them could live to gather the fruit and to reap the harvest. But their faith has

been justified by the result of their labors, and their foresight must be recognized in the light of our present experience.

It seems to me that there are three distinct stages in our Imperial history. We began to be, and we ultimately became, a great Imperial Power in the eighteenth century, but, during the greater part of that time, the colonies were regarded, not only by us, but by every European Power that possessed them, as possessions valuable in proportion to the pecuniary advantage which they brought to the mother country, which, under that order of ideas, was not truly a mother at all, but appeared rather in the light of a grasping and absentee landlord, desiring to take from his tenants the utmost rents he could exact. The colonies were valued and maintained because it was thought that they would be a source of profit—of direct profit—to the mother country.

That was the first stage, and when we were rudely awakened by the War of Independence in America from this dream that the colonies could be held for our profit alone, the second chapter was entered upon, and public opinion seems then to have drifted to the opposite extreme; and, because the colonies were no

longer a source of revenue, it seems to have been believed and argued by many people that their separation from us was only a matter of time, and that that separation should be desired and encouraged, lest haply they might prove an encumbrance and a source of weakness.

It was while those views were still entertained, while the Little Englanders were in their full career, that this Institute was founded to protest against doctrines so injurious to our interests and so derogatory to our honor; and I rejoice that what was then, as it were, "a voice crying in the wilderness" is now the expressed and determined will of the overwhelming majority of the British people. Partly by the efforts of this Institute and similar organizations, partly by the writings of such men as Froude and Seeley, but mainly by the instinctive good sense and patriotism of the people at large, we have now reached the third stage in our history, and the true conception of our Empire. What is that conception? As regards the self-governing colonies we no longer talk of them as dependencies. The sense of possession has given place to the sentiment of kinship.

We think and speak of them as part of ourselves, as part of the British Empire, united to us, although they may be dispersed throughout the world, by ties of kindred, of religion, of history, and of language, and joined to us by the seas that formerly seemed to divide us.

But the British Empire is not confined to the self-governing colonies and the United Kingdom. It includes a much greater area, a much more numerous population, in tropical climes, where no considerable European settlement is possible, and where the native population must always vastly outnumber the white inhabitants; and in these cases also the same change has come over the Imperial idea. Here also the sense of possession has given place to a different sentiment,—the sense of obligation. We feel now that our rule over these territories can only be justified if we can show that it adds to the happiness and prosperity of the people, and I maintain that our rule does, and has, brought security and peace and comparative prosperity to countries that never knew these blessings before.

In carrying out this work of civilization we are fulfilling what I believe to be our national

mission, and we are finding scope for the exercise of those faculties and qualities which have made of us a great governing race. I do not say that our success has been perfect in every case, I do not say that all our methods have been beyond reproach; but I do say that in almost every instance in which the rule of the Queen has been established and the great *Pax Britannica* has been enforced, there has come with it greater security to life and property, and a material improvement in the condition of the bulk of the population. No doubt, in the first instance, when these conquests have been made, there has been bloodshed, there has been loss of life among the native populations, loss of still more precious lives among those who have been sent out to bring these countries into some kind of disciplined order, but it must be remembered that that is the condition of the mission we have to fulfil. There are, of course, among us—there always are among us, I think—a very small minority of men who are ready to be the advocates of the most detestable tyrants, provided their skin is black—men who sympathize with the sorrows of Prempeh and Lobengula, and who denounce as murderers those of their country-

men who have gone forth at the command of the Queen, and who have redeemed districts as large as Europe from the barbarism and the superstition in which they had been steeped for centuries. I remember a picture by Mr. Selous of a philanthropist—an imaginary philanthropist, I will hope—sitting cosily by his fireside and denouncing the methods by which British civilization was promoted. This philanthropist complained of the use of Maxim guns and other instruments of warfare, and asked why we could not proceed by more conciliatory methods, and why the impis of Lobengula could not be brought before a magistrate, fined five shillings, and bound over to keep the peace.

No doubt there is humorous exaggeration in this picture, but there is gross exaggeration in the frame of mind against which it was directed. You cannot have omelettes without breaking eggs; you cannot destroy the practices of barbarism, of slavery, of superstition, which for centuries have desolated the interior of Africa, without the use of force; but if you will fairly contrast the gain to humanity with the price which we are bound to pay for it, I think you may well rejoice in the result of

such expeditions as those which have recently been conducted with such signal success in Nyassaland, Ashanti, Benin, and Nupé—expeditions which may have, and indeed have, cost valuable lives, but as to which we may rest assured that for one life lost a hundred will be gained, and the cause of civilization and the prosperity of the people will in the long run be eminently advanced. But no doubt such a state of things, such a mission as I have described, involve heavy responsibility. In the wide dominions of the Queen the doors of the temple of Janus are never closed, and it is a gigantic task that we have undertaken when we have determined to wield the sceptre of empire. Great is the task, great is the responsibility, but great is the honor; and I am convinced that the conscience and the spirit of the country will rise to the height of its obligations, and that we shall have the strength to fulfil the mission which our history and our national character have imposed upon us.

In regard to the self-governing colonies our task is much lighter. We have undertaken, it is true, to protect them with all the strength at our command against foreign aggression,

although I hope that the need for our intervention may never arise. But there remains what then will be our chief duty—that is, to give effect to that sentiment of kinship to which I have referred and which I believe is deep in the heart of every Briton. We want to promote a closer and a firmer union between all members of the great British race, and in this respect we have in recent years made great progress—so great that I think sometimes some of our friends are apt to be a little hasty, and to expect even a miracle to be accomplished. I would like to ask them to remember that time and patience are essential elements in the development of all great ideas. Let us, gentlemen, keep our ideal always before us. For my own part, I believe in the practical possibility of a federation of the British race, but I know that it will come, if it does come, not by pressure, not by anything in the nature of dictation from this country, but it will come as the realization of a universal desire, as the expression of the dearest wish of our colonial fellow-subjects themselves.

That such a result would be desirable, would be in the interest of all of our colonies as well as of ourselves, I do not believe any sensible

man will doubt. It seems to me that the tendency of the time is to throw all power into the hands of the greater empires, and the minor kingdoms—those which are non-progressive—seem to be destined to fall into a secondary and subordinate place. But, if Greater Britain remains united, no empire in the world can ever surpass it in area, in population, in wealth, or in the diversity of its resources.

Let us, then, have confidence in the future. I do not ask you to anticipate with Lord Macaulay the time when the New Zealander will come here to gaze upon the ruins of a great dead city. There are in our present condition no visible signs of decrepitude and decay. The mother country is still vigorous and fruitful, is still able to send forth troops of stalwart sons to people and to occupy the waste spaces of the earth; but yet it may well be that some of these sister nations whose love and affection we eagerly desire may in the future equal and even surpass our greatness. A transoceanic capital may arise across the seas, which will throw into shade the glories of London itself; but in the years that must intervene let it be our endeavor, let it be our task, to keep alight the torch of Imperial pa-

triotism, to hold fast the affection and the confidence of our kinsmen across the seas, that so in every vicissitude of fortune the British Empire may present an unbroken front to all her foes, and may carry on even to distant ages the glorious traditions of the British flag. It is because I believe that the Royal Colonial Institute is contributing to this result that with all sincerity I propose the toast of the evening.

LORD ROSEBERY.

WHEN, in March, 1894, upon the retirement of Mr. Gladstone from public life, the Liberal party looked about, not for that impossible man who could fill his place, but for a new leader, it is a matter of recent history that the choice fell on Lord Rosebery. Mr. McCarthy has described minutely the rather intricate reasons for this choice: suffice it to say here that Lord Rosebery was summoned to the Premiership both as a compromise candidate and as the most popular Liberal before the country.

Lord Rosebery, Earl of Primrose, was a Premier who had never sat in the Lower House. Educated at Eton and Christchurch, as a minor he had succeeded to the title and hereditary seat among the Lords. As the first Chairman of the London County Council

(1888), and twice as Secretary for Foreign Affairs (1886, 1892), he had shown marked abilities for public business. In the latter office, for instance, he had often worked eighteen hours a day. Nor were industry and position his only qualifications for the high honor. In the full sense of the word, Lord Rosebery was a versatile man. He had some claims to virtuosity in the arts of painting and sculpture. He had written a good deal, and creditably; he had spoken much, and well. But above all, to these accomplishments he had added an avocation perhaps the most sympathetic to the English popular mind,—the cult of the turf. As a boy, indeed, Lord Rosebery is said to have set upon at least two objects to be attained in life: the possession of the Premiership and the owning of a Derby winner. Both have already been his.

The appointment, then, so far as personal reasons went, was generally popular; but, like most compromises, it did not entirely suit the party. Lord Rosebery, though one of the



LORD ROSEBERY.

comparatively few Peers in favor of Home Rule, was not so ardent or optimistic a supporter of the cause as many Liberals could have wished. Certainly his advocacy was lukewarm as compared with the consecrated fire of Mr. Gladstone's attack. Further, he was known to be conservative in a matter upon which many of his party felt strongly, the abridgment of the powers of the Lords—here again less truly Liberal than the retiring leader.

The term of office begun under these dubious auspices was marked by no sensational episodes save its finish. A revival of the old proposal to erect a statue of Cromwell within the Parliament precincts awoke a spirited remonstrance from Ireland. From this proposal the Government quietly withdrew. Beyond this, very little happened until, suddenly, consequent to a debate precipitated upon the supply of cordite to the army, a division disclosed the Government defeated (June 24, 1895) by a majority of seven. Thus ended a Ministry begun in compromise, continued without real coherence,

and shipwrecked on the most trivial of points. Mr. McCarthy has wittily and well described this *fiasco* as "The Cordite Explosion."

The resignations of the Ministry followed; and Lord Rosebery was relieved from a post which could not have been agreeable to him, but in which he had probably done the best possible. "A house divided against itself—" The ensuing elections returned Lord Salisbury and the Conservatives to the control of affairs which they still retain.

This slight sketch should show that to Lord Rosebery the real moment has not yet arrived. Still comparatively a young man, and in so many ways the type of a great Liberal Peer, more than ever he is the logical leader of his party. Although that party now* shows signs of a disintegration probably momentary, the ebb and flow of politics are proverbial. When the tide sets the other way, it is not hazardous to predict that it will be Lord Rosebery who again commands the Liberals.

* January, 1899.

As a speaker, the style of Lord Rosebery will be found to be thoroughly modern,—suave, easy, and unimpassioned. In a degree denied to Mr. Chamberlain, Lord Rosebery has the gift of the phrase. The current and rather picturesque catchword, England's "Splendid Isolation," indeed was not his; but one example of his power to crystallize a great tendency in compact form is his reference to that wise British policy of building for the future in Africa, or whatever barbarous land. It is "Pegging out Claims for Posterity," he says. It could hardly be more aptly turned.

LORD ROSEBERY.

THE DUTY OF PUBLIC SERVICE.

In common with some other English public men, Lord Rosebery has the art of speaking gracefully and informally on matters of public interest at occasions not political in character. Such an occasion presented itself on October 25, 1898, when, as President of the Associated Societies of the University of Edinburgh, Lord Rosebery delivered the following address. It will be found to be a good example of a style almost always at ease, yet without the sacrifice of dignity, progressing skilfully from a light attack to a serious and earnest treatment. Perhaps, indeed, the quality is more literary than oratorical.

MR. CHANCELLOR* AND GENTLEMEN:

I am not sure that this sumptuous Hall with which the generous Mr. M'Ewan has endowed this University is in the nature of an unmixed benefit. It makes too much of an occasion like this. To tell the truth, as I look around me and see this vast audience, I am irresistibly reminded of the most dismal moment that can occur in a man's life,—the moment when he is

* The Right Hon. Arthur Balfour, M.P., who was in the chair.

about to deliver a Rectorial Address. Happily, there are one or two considerations which reassure me. One is, that the altar is already lighted for another victim, whose sacrifice, in the natural course of things, cannot long be delayed. My other comfort, sir, is that you are in the chair, because, to put it on no higher ground, the Chancellor is never present at a Rector's Address. The same firmament cannot hold two such planets, and therefore, when I see you there, I am perfectly certain that the impression I derive from this audience is an erroneous one, and that I am not going to deliver a Rectorial Address. Well, sir, we welcome you here for every reason. We are glad to see you in your place as Chancellor. We are glad to see you on any plea in Edinburgh; and what I am happy to think of is this: that we can ensure you in that chair for the next fifty minutes what, perhaps, you can obtain nowhere else, a period of unbroken repose, untroubled by colleagues, untroubled by Cabinets, undisturbed even by boxes or telegrams; and if you, sir, will take my advice, you will take advantage of that repose. But, gentlemen, if I can explain why the Rector is not here, and why the Chancellor is, it is perhaps

more difficult to explain to myself why I am here. It is partly, no doubt, because in an unwary moment I accepted this responsible office, which has such onerous duties. But it is also due to another circumstance,—that, when we were last in this Hall, you invited me, somewhat clamorously, to address you. I am a person, however, accustomed to walk in the established order of things: I could not interrupt the programme. It would neither have been *dulce* nor *decorum* for me to speak on that occasion. But to-night I am here to respond to that invitation. To-night, it is perhaps *decorum* that I should speak; and if it can ever be *dulce* to make a speech, it is *dulce* on this occasion. But, at any rate, let us be quite clear in our understanding. I am not going to deliver a Rectorial Address—nothing so elaborate, nothing so educational. Simply, I trust, it will be a short speech on common-sense lines, and without rising to the heights of the other occasion to which I have alluded.

Now, sir, with a view to the adequate performance of my functions to-night, I have been reading the address of my predecessor, our friend Professor Masson, and as I am quite sure that you have all read Professor

Masson's address too, it will not be necessary on this occasion to condescend upon details. You know more than I do about the constitution of these Societies, and you may perhaps be able—which I am not—to decide as to their relative antiquity. But there is one sinister and significant sentence in Professor Masson's address to which I commend your attention. He says that for sixteen years the post of President was vacant, because no one could be found willing to accept the responsibility of delivering the Presidential Address. Now, if that does not move your compassion for the person who has that courage, your hearts must be harder than adamant. There is another sentence which produced a great awe and effect upon my mind. It is said that the Societies had done much good work which did not seem affected materially by the absence or the presence of their President, and as specimen of that good work he said that no less than twenty thousand essays had been delivered to the Societies in the course of their existence. Twenty thousand essays! That is a hard saying. Twenty thousand essays, blown into space! And it leads further to this appalling calculation, that if a gentleman hearing of

the Associated Societies had determined to improve his mind by reading these essays, and had determined to read one every day before breakfast, it would have been sixty years before he had accomplished the task. Now, that to me, I confess, is not the precious fact in connection with these Societies. What to me is precious is this, that they garnered up so much of what is illustrious, both in regard to memories and to men in connection with Edinburgh. Take, for example, the Dialectic Society, which was founded in 1787. Well, how brilliant was Edinburgh in 1787! A race was growing up in your schools and in your universities which was destined afterwards, through the means of the *Edinburgh Review*, to influence largely both the taste and the policy of these islands. They were at that time pretty young, the most of them. Cockburn—Lord Cockburn—was being flogged every ten days at the High School, every ten days according to a minute and pathetic calculation that he has left behind him. Jeffrey—Lord Jeffrey—was at that time entering Glasgow University in his fourteenth year; and as for Lord Brougham, he was at that moment commencing a career of conflict by a struggle with a master

of his class, in which, I need hardly say, Brougham came off victorious. Dugald Stewart was lecturing at that time, not merely to Edinburgh, but to the kingdom, and almost to the world at large, and Edinburgh was the centre to which all the intellect of Great Britain might, without exaggeration, be said to have gravitated. At that time the English universities were slumbering. Jeffrey had indeed taken a taste of Oxford, but liked it not. His biographer carefully says that "his College was not distinguished by study and propriety alone." This shocked Jeffrey, and he left it. But in any case these were the golden days of Edinburgh. It was then unrivalled as an intellectual centre, unrivalled in a sense that it can never be again. Some will say that all that is gone. Well, as for the intellectual supremacy, that could not survive in the general awakening of the world. But what I also fear has gone, is the resident, inherent originality which then distinguished our city. Railways and the Press have made that impossible; for, after all, true originality can scarcely exist but in the backwaters of life. The great ocean of life smooths and rolls its pebbles to too much the same shape and texture. Those

famous judges of whom we read, with something between a smile and a tear,—Braxfield and Eskgrove and Newton and Hermand,—are just as impossible in these days as the black bottles with which they stimulated their judicial attention on the bench. They are as impossible as that cry of "Gardez-loo" which meant so much to the passer-by on the streets. Well, after all, we must take the rough with the smooth, and the good with the bad. "Gardez-loo" itself was only the symbol of hideous physical impurities, which we none of us should regret; and perhaps even some of those social glories, over which we are so accustomed to gloat in the past, might not have been entirely agreeable had we to realize them in the present. Take these old judges whom I mentioned. They are very picturesque and interesting figures; but I am not sure that any of us could have faced them in the character of a defendant or an accused person without a qualm, more especially if we were opposed to them in politics, and even—if tradition lies not—even if we were their opponents at chess. And if we were in that unfortunate and perhaps discreditable position, we should go and seek our legal adviser, not, as now, in the dec-

orous recesses of Queen Street or of George Street, but, as Colonel Mannering went to seek him, at Clerihugh's, enjoying "high jinks" in the midst of a carousal, from which he could hardly tear himself for matters of the most vital import to his client.

Well, of course it is impossible to read Lord Cockburn's "Memorials of His Time"—and I hope that you all do read it, and read it at least once a year, because no resident of Edinburgh can properly enjoy his city without reading Lord Cockburn once a year—it is impossible to read Lord Cockburn without seeing that he was an optimist. But even he says of the Edinburgh of his time—which he says was so unrivalled—even he describes it as "always thirsty and unwashed." Well, I am not quite sure when I read that description if we should have thought the Edinburgh of 1787 as delightful as he did. I hardly venture to risk myself in this line of conjecture. Should we all have appreciated Jeffrey as much as he did? That must remain in the realms of the unknowable and the unknown. But there is worse behind. There is even treason talked about the divine Sir Walter Scott. In that very delightful book which furnishes so much leisurely reading for

the Scotsman or the Scotswoman, or for anybody,—I mean "Memoirs of a Highland Lady," —I came upon this sentence, which I have never since been able to digest. It says about Sir Walter Scott, " He went out very little," and, when he did go, that " he was not an agreeable gentleman, sitting very silent, looking dull and listless unless an occasional flash lit up his countenance. It was odd, but Sir Walter never had the reputation in Edinburgh that he had elsewhere." Gentlemen, I veil my face; I cannot get over that, till I remember that a prophet is never a prophet in his own country, and there may have been people, even in Edinburgh, who did not think of Sir Walter as we do. But I do not mention all these disagreeable considerations as sheer iconoclasm and blasphemy. No, gentlemen, it is in a very different spirit that I lay them before you. I lay them before you as with a sort of inward groan. They are to me a sort of phllosophic potsherd with which I scrape myself. It is in the attempt to comfort myself for living in the Edinburgh of the end of the nineteenth century, and not in the Edinburgh of the eighteenth or the seventeenth or the sixteenth centuries, that thus I endeavor

to recall these things, and console myself anew.

Well, I think then there are some circumstances which we should bear in mind before we give way to the wish to exchange new Edinburgh for old Edinburgh. At any rate, there are some circumstances that should discount our enthusiasm. But, indeed, in any case it would not be possible for us of the Associated Societies to concentrate all our interest in Edinburgh as our forefathers did. In the first place, our students, our members, are by no means all Scotsmen. They come from England, and from all over the world. They come here, many of them, to learn arts which they mean to practise and to exercise elsewhere, so that it would be impossible for them to remain in Edinburgh; if they did, indeed, I think that some professions in Edinburgh would be somewhat glutted and overstocked. But, in the second place, there is the railroad, which equally prevents it—the railroad, which has so profoundly stirred up our people, which has so inspired them with the fever of travel, makes concentration in our old capital impossible. By thousands are the strangers that it brings in and takes out of Edinburgh every day, and

indeed, as regards its effect on our town, it is something like that of the pipes which convey the water of some hushed and inland loch away to the boisterous strife of cities, and again away from the cities to the eternal ocean. The students of that Edinburgh which was once so difficult to reach and to leave are now whirled away into a thousand whirlpools of civilization; they can no longer huddle around and try to blow up the embers of that ancient Edinburgh which we can only revive in imagination. But of Edinburgh as it exists —the historical, the beautiful, the inspiring— I trust they have taken and are taking a deep draught and a long memory. They are here at the most critical and the most fruitful period of their lives; and sure am I that, whether they wish it or not, they will bear away from this place a seal and a mark and a stamp which can leave them only with life itself.

But, gentlemen, I go a little further in this sense, and I believe that even if the students could remain in Edinburgh and concentrate themselves here, it would be bad for Edinburgh and bad for Scotland, but bad also for the Empire. We in Scotland wish to continue to mould the Empire as we have in the past—

and we have not moulded it by stopping at home. Your venerable Principal is an instance in point. And we have even a nearer object-lesson in two returning Viceroys from Canada and from India: Aberdeen — from Canada, where he is by and by to be replaced by a Minto; and Elgin — the second Elgin — from India. Well, I say then that it is not the Edinburgh of Cockburn alone that I wish you to bear in your thoughts to-night, but rather the Edinburgh which has dispersed her sons all over the Empire, the assiduous mother and foster-mother of the builders of our Empire. From the time of Dundas, who almost populated India with Scotsmen, that has always been the function of Scotland; and I look, then, to my colleagues of the Associated Societies not merely as going forth to their several professions and callings in life, but as going forth as potential empire-builders, or at least as empire-maintainers.

You will, gentlemen, when you go forth from these learned precincts and enter upon the actual business of life—you will have in the course of your lives to help to maintain and to build that Empire. You may think that it may be in a small and insignificant manner, not

more than the coral insect within the coral reef. But recollect that the insect is essential to the reef; and it is not for any man of himself to measure what his direct utility may be to his country. I will tell you why you must in your way exercise those functions. The British Empire is not a centralized empire. It does not, as other empires, hinge on a single autocrat or even on a single Parliament, but it is a vast collection of communities spread all over the world, many with their own legislatures, but all with their own governments, and, therefore, resting, in a degree which is known in no other state of which history has record, on the intelligence and the character of the individuals who compose it. Some empires have rested on armies, and some on constitutions. It is the boast of the British Empire that it rests on men. For that reason it is that I speak to you to-night as men who are to have your share in the work of the Empire, small or great, humble or proud. That is—unless you go absolutely downwards—your irresistible and irrevocable function. Now, it is quite true that your share in that work may not be official, but even then I would ask, why not? There never was in the history of Great Britain, or, I suspect, of

the world, so great a call as now upon the energies and intelligence of men for the public service, and that call, as you, sir, know, is increasing daily. Within Great Britain in my own memory the change in that respect has been very remarkable. What was called the governing class—and which is to some extent the governing class still—when I was a boy had very simple public functions in comparison with those which devolve upon the present race. They went into Parliament as a rule, and they had Quarter Sessions. But Parliament in those days was a very different business from what it is now, and Quarter Sessions — were Quarter Sessions. The burden of Parliament has now indefinitely and almost hopelessly increased, as you, sir, I doubt not, would be willing to depose on oath, if necessary. That takes up for these islands some five hundred and seventy more or less trained intelligences. Then there is the House of Lords, which takes up some—I am not sure of the figures—some five or six hundred more. I do not wish to claim that the House of Lords takes up the whole time of its members; I merely wish to point out that that, again, takes a part of the time, at any rate, of some five or six hundred more of

our governing class. Then there is a new institution—the London County Council. That is a body whose work is not less absorbing than that of the House of Commons. It lasts much longer; it is much more continuous, and though not nearly so obtrusive, it is quite as arduous. Well, that consists of a small body of a hundred and thirty-eight members, who must all, who should all, be highly qualified for the function of governing a nation which is not smaller than many self-governing kingdoms. Then there are the great municipalities —great and small. These, no doubt, have to some extent always existed, but not in their present form. A new spirit has been breathed into these somewhat dry bones. The functions of a municipality are sought by men of the highest intelligence; they are not merely sought by men of the highest intelligence, but absorb a very great proportion of the time of these men. They are changed altogether in spirit and in extent. And it is notable now to remark how many men in business plead as a just excuse from entering either the House of Commons or municipal work that they cannot spare the time from the necessary prosecution of their business which would enable them

to join in those absorbing avocations. The municipalities of to-day—I know not how many men whose time they absorb, but they are very different from the municipalities of my boyhood, and I suspect that if a Town Councillor of forty or fifty years ago were to present himself in a Town Council of to-day, he would regard their work with astonishment, and they perhaps might look at him with some surprise. Then there are County Councils, District Councils, Parish Councils—all bodies new within the last few years—not all of them absorbing the whole time of their members, but requiring, at any rate, the services of many trained intelligences to keep their work in proper order, and without arrears. Then there are the Government Departments, which swallow up more and more men, and pass them on very often to higher employments. Their work is indefinitely and incalculably increasing. I will give you one symptom. The Foreign Office this year has obtained one new Under-Secretary; and the addition of an Under-Secretary is a cry of distress indeed. Well, the Colonial Office, I see from the papers, is also about to demand an Under-Secretary, and what that means of increase in the subordinate

departments is more than I can rightly calculate. But in truth, gentlemen, the whole matter is typified in the constitution of the Cabinet. The present Cabinet requires nineteen men to do what was done by half-a-dozen in the days of Mr. Pitt.

Why do I quote these figures? I quote them to show the enormous drain that the State makes on our intelligent population, besides the drain that it makes both for military and naval purposes. Napoleon was said to drain his population for his warlike purposes. We may be said, if not to drain, at least to skim ours very frequently for the purpose of administration. Now what I have been telling you relates to Great Britain alone. There is, besides, Ireland. Well, I am not going to touch on Ireland. In the first place, it is a different system of administration, and one with which I am not so conversant; and, in the second place, this is at present a harmonious meeting, and I have discovered that there is no topic so likely to terminate the harmony of a meeting as that of the administration or the government of Ireland. I pass beyond that. Outside Great Britain and Ireland there is an enormous drain on our population for

administrative purposes. There is India, which takes so many of our young men and trains them so incomparably for every sort of administrative work. There is Egypt, which, is, of course, on a different footing, but which is also very large in her requirements. There is Africa, —not self-governing Africa, but the rest of our Africa,—with its territories, its spheres of influence, and so on, all requiring men to mould them into shape, not necessarily men belonging to the Civil Service or men of formula, but muscular Christians, who are ready to turn their hands to anything. Then, besides that and beyond that there are the outer Britains, if I may so call them, the great commonwealths outside these Islands which own the British Crown—whether Crown Colonies, in which case they require administrators, or self-governing Colonies, in which case they require the whole appurtenance of Parliament, Courts of Law, Ministers, and so forth. Then, outside that again, there are our Diplomatic and Consular services. Well, I do not suppose there ever was in the history of the World half the demand that there is at this hour within the British Empire for young men of ability and skill and training to help to mould that

Empire into shape. Never were there so many paths of distinction open within that Empire; while to those who would share in that task of empire-building, and who would do it, not with the hope of amassing much riches, but in a high missionary spirit, never was there such an opportunity as opens at the present moment.

Of course, the base of all this tremendous work of Government is our unparalleled Civil Service. Our Civil Service is our glory and our pride. It is the admiration of all foreigners who see it, but it is, and I think I can appeal to you, sir—it is much more the admiration of those who as political Ministers are called upon to witness its working from within. They constitute the wheels and the springs on which moves the great Juggernaut Car of the State, and if these were once to get out of order, it would be an evil day indeed for Great Britain. But I confess, in my day dreams I have sometimes wished to add to them one other department. I have sometimes wished that there was a department entirely devoted to training young men for the task of administration—men who would afterwards be ready to go anywhere and do anything at a moment's

notice—be ready to go out and administer Uganda, for example, at a week's notice, ready to go and report anywhere on maladministration with the skill of an expert, able to investigate any subject and report upon it, not in the sense of Royal Commissions, but in a summary and a business-like manner. I should like them, as I say, to go at a word from their superior to any part of the Empire, and be able to do anything, as the militant orders of monasticism used to do—and do now, for aught I know—at the command of their superiors; to be, in fact, a sort of general staff of the Empire. I believe if that could be done it would be an incalculable gain; though I know it is a dream. But then I also know that it is not a bad thing sometimes to dream dreams. Of course, to some extent this function is performed by the Treasury. The Treasury, from its necessary contact with all the other Departments, owing to its being alone able to furnish them with that financial staff of life without which they could not get on, a staff of life which could only be obtained from the Treasury—not always with a smile—does furnish to the other Departments men who are competent to do most things, and to

undertake most duties. But that, unfortunately, has been already discovered. Already men have been constantly taken from the Treasury, and if that process be continued much longer that Department will, I fear, be left in what I believe is scientifically called an anæmic condition. Well, gentlemen, I admit that this is a digression as well as a dream, but my point is this, that there never was so great a demand as now for trained intelligence and trained character in our public service, and I should like to think that we of the Associated Societies will bear our part in it.

Most of you, I suppose, have already chosen the professions that you mean to pursue, and I should by no means wish to see, as the result of what I have said, a general exodus from Edinburgh to the somewhat forbidding portals of the Civil Service examiners. That is not my object, but I venture to point out that official duty is only a very small part of public duty, and that public work is by no means incompatible with other professions and other callings. I do not suppose I need remind you that Walter Scott was a sheriff, and that Robert Burns was an exciseman. But how often have I seen professional men clutch at

an opportunity of serving their country, whether on a commission or on a committee, or something of that kind—clutch at it though knowing that it will involve a great waste of time, and therefore a great loss of money—clutch at it as an honor which they cannot sufficiently prize. And I confess, when I see the enormous abilities that are given to our Civil Service and to our public service, either for no remuneration at all, or for remuneration incalculably smaller than the same abilities would have earned in any other calling or profession, I am inclined to think that the public spirit in this country was never higher nor brighter than it is at present. Let me tell you two curious stories which happened within my experience or knowledge with regard to this anxiety to serve the public. A friend of mine who had a high post in the Civil Service was asked, not so very long ago, to undertake some task which was peculiarly congenial to him, and for which he was peculiarly fitted; but he refused it without hesitation, and he gave as his reason this. He said, " When I was appointed to my present post at a very ample remuneration I knew nothing of the work, and it was some years before I could learn the work,

to do it to my satisfaction. Now I have learned it, I am in a position in some way to repay the State for what it has done for me, and I shall not leave my post till I feel I have in some degree discharged that debt." Well, now, a much longer time ago, before I can remember, there was one of the greatest and the wealthiest, and at the same time one of the most dissipated of the English nobility, who, after a life spent, as I say, in a very frivolous manner, was suddenly seized and bitten with the anxiety to occupy some public post under his government, and do some public work; and he applied to the Minister of the day for some quite subordinate post, as he wished to do something to redeem his life. Well, the post was refused, and his life was unredeemed. I give that to you as a specimen, not so uncommon as it may seem, of the anxiety of men, who had not done much in their youth, as they approached middle life to be of some use to their country before they die. And, after all, gentlemen, we are bound to remember this — that we owe something to our country besides rates and taxes. Other countries have compulsory military service. We are released from that; and if only on that consideration I think that we

should be prepared to do something for the country which has done so much for us. And even if there is no public work ready to your hand, there are innumerable ways in which we can serve our country, however humbly and however indirectly. I only mention in passing the Volunteer movement. But there are social methods, literary methods, ay, and even athletic methods, because I am one of those who believe that one of the subordinate methods of welding the Empire together, and even of welding the English-speaking races together, is by those Inter-Colonial athletic contests, and athletic contests with the United States, which are developing so much in these days. But what I want to impress upon you is this, that if you keep before you the high motive of serving your country, it will ennoble the humblest acts that you do for her. The man who breaks stones on the road, after all, is serving his country in some way. He is making her roads better for her commerce and her traffic. And if a man asks himself sincerely and constantly the question—"What can I do, in however small a way, to serve my country?"—he will not be long in finding an answer.

Now, I will tell you what I consider the irre-

ducible minimum of this service—the irreducible minimum. It is that you should keep a close and vigilant eye on public and municipal affairs; that you should form intelligent opinions upon them; that you should give help to the men who seem to you worthy of help, and oppose the men whom you think worthy of opposition and condemnation. That I believe to be the irreducible minimum of the debt of a British citizen to his country, and I believe it to be very important to the country. There is no such bad sign in a country as political abstention. I do not want you all to be militant politicians; I do not want it for your sake, or for the country's sake. But an intelligent interest does not mean a militant interest, though it, at any rate, means the reversal of apathy. We are told that there is a good deal of political apathy in these days. I do not know whether that is so or not, because I have no means of judging. But if there is political apathy, I think the cause of it is not far to seek. Our forefathers, with their defective news agencies or channels, were able to concentrate their mind on one particular subject at a time, and give it all their energy and all their zeal. For example, for some twenty

years they were locked in that great war with Napoleon and the French Revolution, which absorbed all their energies, and when that war ceased there came an era of great single questions, on which they were able to concentrate all their attention. But now that is all changed. The telegraph brings you into communication with every quarter of the globe. Every day brings you news of some exciting character from every quarter of the universe, and under this constant and varying pressure the intelligence of men is apt to be dazed, and blunted, and dulled. And yet we know that when, as now, the attention of the country is concentrated on a single point, there is as little apathy as need be.

But I should not appeal even on these grounds to you, gentlemen, if I did not hold a somewhat higher and broader conception of the Empire than seems to be held in many quarters. If I regarded the Empire simply as a means of painting so much of the world red, or as an emporium for trade, I should not ask you to work for it. The land hunger is apt to become land fever, and land fever is apt to breed land indigestion, while trade, however important and desirable in itself, can never be

the sole foundation of an empire. Empires founded on trade alone must irresistibly crumble. But the Empire that is sacred to me is sacred for this reason, that I believe it to be the noblest example yet known to mankind of free, adaptable, just government. If that was only your or my opinion it might perhaps be not very well worth having, but it derives singular confirmation from outside. When a community is in distress or under oppression, it always looks first to Great Britain; while in cases which are quite unsuspected, I think, by Great Britain at large, and which are, as a rule, only known to Ministers, they constantly express the wish in some form or other to be united to our country, and to enjoy our government. And, on the other hand, for the most part, in those territories which, for one reason or another, we have at various times ceded, we may, I think, in almost every case see signs of deterioration, and signs of regret on the part of the inhabitants for what they have lost. I ask you, then, gentlemen, to keep this motive before you of public duty and public service, for the sake of the Empire, and also on your own account. You will find it, I believe, the most ennobling human motive

that can guide your actions. And while you will help the country by observing it, you will also help yourselves. Life in itself is but a poor thing at best; it consists of only two certain parts, the beginning and the end—the birth and the grave. Between those two points lies the whole area of human choice and human opportunity. You may embellish and consecrate it if you will, or you may let it lie stagnant and dead. But if you choose the better part, I believe that nothing will give your life so high a complexion as to study to do something for your country. And with that inspiration I would ask you to blend some memory of this Edinburgh so sacred and so beautiful to us, not, perhaps, the Edinburgh of Cockburn or Jeffrey or Brougham, but an Edinburgh yet full of noble men and wise teachers, that you will bear away some kindling memory of this old grey city, which, though it be not the capital of the Empire, is yet, in the sense of the sacrifices that it has made, and the generations of men that it has given to the Empire, in the truest, the largest, and the highest sense an Imperial City.

ILLUSTRATIVE NOTES.

NOTE 1, p. 10.—The allusion is to the preliminary proceedings of the trial—in which some days were devoted to legal fencing about witnesses and challenged jurors.

NOTE 2, p. 12.—The gentleman thus elegantly arraigned was William Saurin (1757?–1839). Saurin was sprung from a French Huguenot family settled in Ireland. He was a lawyer of considerable ability, but one who had not risen rapidly. He seems to have been a fairly honest, bigoted Protestant; moreover, the duties he was called to perform during his long term (1807–1822) as Attorney-General were such as to bring him almost officially into sharp friction with the Catholic population. Consequently he was cordially hated by them. He was openly charged with using his position to repress Catholic agitation; and, later than this trial, it was publicly known that he had written to Lord Norbury, urging that as a Judge on circuit he should attempt to influence grand juries in favor of the Government. These are grounds palpable enough for a basis to O'Connell's accusations; but these were the ethics of the time. After a perusal of this speech, it will not surprise the reader to learn that before the Magee trial was over O'Connell had gone so far as to threaten the Attorney-General with personal violence.

NOTE 3, p. 21.—The Catholic Committee of Dublin was an organization for the purpose, so to speak, of agitation by resolution. These resolutions were framed and passed at meetings. The influences thus set in motion O'Connell had tried

to enlarge and make more national in their scope by adding to the Committee members from other parts of the country than Dublin. Now the Convention Act of 1793 had made representation by delegation, such as was here contemplated, illegal; and the Government was quick to avail itself of the statute. There was much trouble, and of course the question was had to the courts, where, in the test-case of Dr. Sheridan, O'Connell and the Committee lost. Chief-Justice Downes declared (1811) that the proposed reorganization of the Committee fell under the provisions of the Act. Thenceforward all agitation permissible was to be conducted by a non-delegated Catholic Board. In view of these facts O'Connell's statement in the text cannot be accepted literally. Perhaps it may be called *rhetorically* true.

NOTE 4, p. 29.—His Grace the Duke of Richmond and Lennox—fourth of that title, and descendant of Charles II. by the French mistress, La Kerouaille—was a personage more picturesque than the majority of the great in name who fill the pages of "Burke's Peerage." Throughout, his life (1764–1819) was romantically different from that of the average nobleman. As a youth he was a notable duelist, and in 1789 had an encounter with the Duke of York wherein half-royal blood came near to shedding royal. So impetuous a temperament obviously led the Duke to the profession of arms, in which he attained some prominence. The Lord-Lieutenancy of Ireland was his during the period 1807–1813; and in these years he had for chief secretary the then plain Colonel Wellesley. He left Ireland for the wars; and thus it was that on the eve of Waterloo the Duke and Duchess of Richmond gave at Brussels the historic ball before the battle—an event which has permanently linked the name of Richmond with history. For chance, doubly gracious, commemorated the occasion in the famous verses of Byron, and the enduring prose of "Vanity Fair." The next day the Duke was glad to

serve on the battlefield under his former secretary. The end of this nobleman was no less striking than his life. Removed to Canada, he died a pitiful death of hydrophobia, induced by a fox-bite.

NOTE 5, p. 65.—Here the speaker is at some pains to press first the charge of inconsistency against the Attorney-General: he then goes on to consider the cases of Walter Cox, a Protestant and publisher of the *Irish Magazine*, and of the author of a book called "The Statement of the Penal Laws," both imprisoned for libel.

NOTE 6, p. 100.—A short excursus on the manner of selecting juries. The ingenious rhetorical device which follows in this selection, after the break, should be noted. The parallelism between Ireland and Portugal is carried as far as it could well go: and argument by persuasion has seldom been more effectively attempted.

NOTE 7, p. 106.—A Portuguese coin, of gold, and valued at eight dollars. So called from the medallion on it of King John.

NOTE 8, p. 116.—The note of O'Connell's son and editor, so characteristic, is worth preserving: "*And slaves, hypocrites, and bigots they proved themselves, by finding a verdict for the Crown.*"

NOTE 9, p. 133.—In the short passage here omitted Lord Palmerston deprecates certain aspersions laid by a member of the Opposition upon the Queen's Advocate, the legal adviser of the Foreign Office.

NOTE 10, p. 144.—References respectively to the grievances of Mr. Finlay—not born in Scotland, as the speaker asserts, but of Scotch descent—and of Don Pacifico, a Jew from Gibraltar, whose cases are soon to be discussed at length.

NOTE 11, p. 151.—George Finlay has titles to fame other than his connection with the rather sordid *cause célèbre* of Don Pacifico. As remarked above, he was not born in Scotland,

but at Faversham, Kent, Dec. 21, 1799; and passed the greater part of his long life far from the north. While pursuing the study of Roman Jurisprudence at Göttingen, about 1821, he met a Greek student from whose conversation he was led to set out for Greece, like many another young Englishman of the epoch, prepared to take part in the war for independence then bursting forth. Arrived in Greece, also like many other English Phil-Hellenes he had the usual encounter with Lord Byron (in his case at Cephalonia), who communicated to him the well-known failure of his illusions concerning the Greek character. More than the ordinary run of Phil-Hellenes Finlay seems to have impressed himself upon the poet; and they spent much time together at Athens and Mesolonghi. Finlay was soon in the thick of the insurrection, and accompanied the chieftain Odysseus on an expedition into the Morea, during which he saw much to confirm Lord Byron's pessimistic views. Nevertheless, at the close of the war, his practical sympathy with Greece manifested itself in the purchase of an estate in Attica, from which he hoped to be of use to the country by the extension of economic and civil improvements. This hope he soon considered to be useless: but his money was locked up in his land purchases, and, as he himself said, there was nothing else to do but to study. With the exception of a few absences, the remainder of his life was spent in Greece, where he accomplished no small service to the country of his residence, and one of great importance to the world. The former lay in his severe, but justifiable, criticisms, in the form of pamphlets or newspaper correspondence, of palpable errors in Greek politics and administration. These censures, often translated into the Greek papers, after a time really bore fruit, and, strangely enough, did not arouse the touchy Greek character to resentment against the critic. His service to the world was the composition of a monumental history of Late, Byzantine, and Modern Greece, definitively published, in 1877,

by the Clarendon Press. The work covers the least known and most confusing period of Greek history, known previously in English almost solely by the picturesque, but rather un-oriented pages of Gibbon. Of it Dr. Richard Garnett, in the "National Dictionary of Biography," says: "Finlay is a great historian of the type of Polybius, Procopius, and Machiavelli, a man of affairs, who has qualified himself for treating of public transactions by sharing in them, a soldier, a statesman, and an economist." In a word, the book is much more minute than Gibbon; and, due doubtless to Finlay's thorough understanding of the Greek race, it is luminous on matters of social description, where Gibbon preserves a large silence. Compared with the other Phil-Hellenes Finlay was less the military adventurer, like Trelawney and Sir Richard Church, than the practical friend of Greece, like the American Dr. Howe. The camps of Europe could and did supply to the Greek cause an abundance, not always disinterested, of the former class; but it is probable that the wrecked and distracted country, when it began the task of civilizing itself, owed far more to men of Finlay's stamp. He died at Athens, Jan. 26, 1875.

NOTE 12, p. 160.—"Against the hundred." The reference is to a peculiarity of the English common law, by which a district, originally containing a literal hundred of families, was entitled a "Hundred." For offences committed within these precincts the inhabitants, or "Hundredors," as they were called, were held civilly responsible. The division was probably of Germanic origin, having been established among the Franks by Clotaire, among the English by King Alfred.

NOTE 13, p. 165.—*Lazzaroni*, originally the name of the beggars and idlers who sought refuge at the Hospital of S. Lazarus in Naples, came to be the generic term applied to that class of irresponsible and half-criminal riffraff in Italy who in France are called the *canaille*.

NOTE 14, p. 184.—The little Ionian republic, seven-isled, or *Heptanēsos*, was formally taken under the protection of England in 1815. This protectorate endured until the accession (1863) of George, the present King of the Hellenes, when, at the request of the islanders, the republic was incorporated with Hellas proper, to which ethnically and geographically it belonged. During the period of the protectorate England was represented by a series of Lord High Commissioners, of whom the first, Sir Thomas Maitland, familiarly known in the Levant as "King Tom," was in many respects a character. His palace, still a prominent feature of the town of Corfu, is of almost baronial splendor; to the south of the Esplanade the grateful Ionians erected in 1816 a small circular temple in his honor. Corfu, the island, is probably the most famous of the group, having been, as the ancient Kérkura, a Corinthian colony, one of the inciting causes of the Peloponnesian War. Antiquity also somewhat fancifully identified it with the Homeric *Scheria*, the abode of Alkinoos and the matchless Nausikaa, naming its neighbor Ithaka—that other Odyssean isle. It is to be said that the latter identification is less fanciful than the former.

NOTE 15, p. 188.—This Baronet was Sir James Robert George Graham (1792–1861), long, although with some fluctuation, a prominent member of the Whig party. Although he held some high offices during the first half of the century, his fame was but evanescent. He was never a Whig at heart, it would seem. Haughty in manner and aristocrat to the bone, his high talents were neutralized by his personal unpopularity. Like Robert Lowe, but in a greater degree, he failed of the success which he might reasonably have expected. A prevalent artificiality of mind was also a bar to his ambitions.

NOTE 16, p. 194.—Ten years after Pitt's death the Congress of Vienna had united the Belgian provinces, formerly under the rule of Austria, with Holland, in order that this new-made

kingdom of the Netherlands might be a "buffer-state" against the encroachment of France on the north. To Belgium, prevailingly Catholic, and to Holland, as prevailingly Protestant, the alliance was alike distinctly distasteful. In particular, the Catholic bishops of the Belgians had objected at the outset to religious toleration under a Protestant king. In language and customs much of Belgium was essentially French: the Flemish element was in those days much subordinated. In Holland the Protestant House of Orange, and, in Belgium, the Church, were the figureheads that symbolized the real political incongruity between the Netherlands, North and South. The events of July, 1830, at Paris were followed by a sympathetic outbreak at Brussels, August 25th, which commenced a real insurrection that ended in the dissolution of the short-lived Kingdom. In the confusion of European politics that arose from this disturbance, England and France by close combination brought a kind of order out of chaos, averted a European war, and by a Conference at London in January, 1831, defined the frontiers of the now disjunct states of Belgium and Holland. But there had to be a King of Belgium. In his selection much difficulty arose. The Duc de Nemours, second son of Louis Philippe, was elected by the Gallicizing Belgians. This election was vetoed by the London Conference. The matter was finally settled by the choice of Prince Leopold of Saxe-Coburg, with the provision that he should make a daughter of Louis Philippe his Queen. Over the disposition of the Grand Duchy of Luxemburg there was further trouble, and even the threat of war. Nominally, it belonged to Holland; sentimentally, it was Belgian—and French. While the Conference was debating the question the King of Holland led an army of fifty thousand men into Belgium. France responded to Leopold's appeal with another army. Then both armies were recalled. Finally the Conference and Leopold agreed that the duchy

should be divided between the countries. But the King of Holland still held out in the citadel of Antwerp, apparently caring little for either Prince or Conference. In doing so, he soon found himself arrayed against a French army corps on land, and in the river Scheldt a British fleet. Even then a bombardment of the citadel was necessary to dislodge him. This was in 1832. It was not until 1839 that the ensuing war of words resulted in the signing of a formal treaty of peace between Holland and Belgium.

NOTE 17, p. 194.—In the passage omitted Lord Palmerston defends the policy of England towards Portugal. The transactions here commented on are to be regarded as the second act of co-operation which sprung from the *entente cordiale* established between England and France at the time of the Belgian arrangement above referred to. A summary of the Portuguese matters follows. In 1826, by the influence of Canning, the dispute about the succession to the Crown of Portugal came to a temporary settlement by the acceptance by Don Miguel of the Constitution. This Don Miguel, a younger son of John, the former King, had been opposed to the liberal tendencies of the times. At the death of his father, Pedro, the Crown Prince, was already installed as Emperor of Brazil. So it was arranged that Miguel should marry, when she came of age, his niece, Maria, then with her father in Brazil; and meanwhile should act as Regent. He soon threw off the mask. In June, 1828, he dissolved the Cortes, summoned instead the medieval "Estates," and deliberately proclaimed himself King. Then came a brutal campaign of proscription against the Constitutional party. Such as escaped these terrors took refuge in England, and in the Azores, which still held out for the Constitutionalists. But in England, now under the Duke of Wellington's dominance, it was no longer on the cards to encourage the growth of liberalism on the continent. Indeed, an attitude of absolute

neutrality was maintained, and the former intervention of Canning was deplored. So matters wagged until the events of 1830 brought a change over the Anglo-Portuguese relations. Don Miguel, in the exercise of his despotic powers, grew insolent enough to worry even English and French subjects at Lisbon. Their governments enforced satisfaction by naval squadrons despatched to the Tagus. For England, Lord Palmerston, as Foreign Secretary of Earl Grey's Ministry, obtained an indemnity and a public apology. For France, her admiral went so far as to appropriate the best vessels of Miguel's navy. Shortly after, Pedro crossed from Brazil to contest the rights of his daughter to the throne. The attitude of England had so completely swerved that, on Pedro's arrival in London (July, 1831), he was permitted to raise troops and to employ in his service various officers of the English navy. From the rendezvous of his forces at Terceira, in the Azores, he proceeded against Oporto, which at once yielded to him. On his part, Don Miguel marched against that city. After the destruction of Don Miguel's navy by his fleet under the English Captain Napier, Pedro made decisive gains, and entered Lisbon, July 28, 1833. Don Miguel, however, was not yet beaten, for the continental governments favorable to absolutism were in the way of sending him assistance both in troops and money. At this moment the whole business was at first sight complicated, but in reality, so far as Portugal was concerned, brought to a speedy issue by the Carlist troubles of the neighboring kingdom of Spain. Don Carlos, the brother of King Ferdinand, based his claim to the throne on the theory that the Salic Law, recently repealed in favor of Isabella, child of the King's old age, by the so-called Pragmatic Sanction, was illegally repealed, the Spanish Succession since 1713 having been faithful to that ordinance. Temporarily Don Carlos had gone into Portugal. Most naturally he had attached himself to

Miguel, as a personage whose position was so comparable to his own. Meanwhile in Spain the Queen Regent, Maria Cristina, had allied herself with the Liberals; had called into office a Liberal Minister, Martinez de la Rosa; and had caused a constitution to be granted to the country (April 10, 1834). Her Government also opened negotiations not only with Portugal, but with England and France, as the next parties interested, with the view of an alliance which should rid, once and for all, the Peninsula of insurrections and leaders of insurrections. Thus on April 22, 1834, the above Powers signed, at London, a Quadruple Treaty, according to which Spain was to send an army into Portugal against Don Miguel; Portugal, if she could, to drive Don Carlos from her territory; England to aid with a fleet; and France to co-operate, if further co-operation were necessary, by any means agreeable to all concerned. And, with regard to Portugal, this programme was executed with precision. No later than May 22, 1834, Don Miguel threw up the game, accepted, instead of the Crown, a large pension, and promised to relieve the Peninsula forever of his presence. Not so with Don Carlos. He refused the conditions. At the time, however, he could do nothing but take a proffered passage to London, whither he conveyed his plottings and still undiscouraged dreams of the Spanish Crown. Of which, more hereafter. As for Portugal, there was another outbreak in 1847, concerning which Lord Palmerston found it necessary this time neither to support the Liberal faction nor to acquiesce in the Ministry of the Opposition leader, Señor Cabral, but to keep a balance between both. This apparent inconsistency the speaker explains by the statement that it was only by such conduct that England could preserve at all a Portuguese Liberal party.

NOTE 18, p. 197.—The question of the Spanish Succession and the quelling of the Carlist revolt here entered on demands

further elucidation. It will be remembered that Don Carlos, after the Quadruple Treaty of 1834, had gone to England. Arrived there, he was really in an anomalous position. It has been said that he carried his dreams with him into exile. Now he had made no promises further to observe the stipulations of the treaty, and—rather curiously—he was not even held by the English authorities as a prisoner of war. What, then, was more natural than that after a short time he should quit England, run through France in disguise, and bob up at the Carlist headquarters in the Basque Province of Navarre? It was at once evident to the world that, so far as the suppression of the Spanish Pretender went, the Quadruple Treaty was *nil*. For various reasons, the Basque provinces had been from the outset the hotbed of Carlism; and from this centre a vigorous and, for a time, successful war was waged for Don Carlos. We say deliberately, "waged for" him: because, like another famous Pretender, Don Carlos was a figure singularly incapacitated for leadership or hero-worship. His political abilities were meagre; and of his personal courage there was more than a doubt. And yet, with the perverse good luck that also waited upon another Pretender, he was fortunate in his supporters. Chief among these was Zumalacarregui, a general of marked strategic talent, who made a pretty fight for his worthless master. Except for the advantages of a mountainous country for base and a devoted population about him, the Carlist leader had little to work with; but he made the throne of Cristina tremble. The struggle endured—a civil war that became notable for its peculiarly Spanish atrocities—until the Government was forced to appeal to France for aid. It should be stated that after the flight of Carlos from England an article had been added to the Quadruple Treaty to the effect that France should prevent troops and contraband of war from crossing the Pyrenees, and that England should cut off aid to the Carlists by sea. This was

not enough to stifle the uprising. The appeal to France met with a certain hesitation on the part of that Government. Louis Philippe now feared to irritate those Powers who were more or less openly sympathetic with Carlism. England was sounded to see if she would stand for a joint responsibility with France in the matter of intervention. Lord Palmerston replied negatively. The hesitation of France then ceased. The answer was returned to Spain that no military assistance could be given. By this time the Queen Regent had become unpopular; and moderate men, as a relief from practical anarchy, were beginning to turn toward Don Carlos. His prospects looked decidedly bright. But the inspired fatuity that was seemingly the birthright of the Pretender did not allow him to profit by his golden moment. He would hear of nothing short of absolutism; instead of listening to compromise, he made a feint of marching on Madrid; and, after being soundly beaten by the Government General, Espartero, escaped into Portugal, Sept. 14, 1839, having racked Spain with a civil war of six years' duration, with no gain even to himself. So the revolt collapsed. Cristina had been ousted from the Regency by the popular hero Espartero. Next Espartero was driven into exile by his own party. Cristina then came back to Madrid, where her daughter Isabella, made of age by a legal fiction, although only a girl of fourteen, was crowned (November, 1843) Queen of Spain, with a Ministry of the Moderado party, under General Narvaez.

NOTE 19, p. 208.—"While the Carlist War was still continuing, Lord Palmerston had convinced himself that Louis Philippe intended to marry the young Queen Isabella, if possible, to one of his sons. Some years later this project was officially mentioned by Guizot to the English statesman, who at once caused it to be understood that England would not permit the union. . . . Louis Philippe now suggested that his youngest son, the Duke of Montpensier, should wed

the Infanta Fernanda, sister of the Queen of Spain. On the express understanding that this marriage should not take place until the Queen should herself have been married and have had children, the English Cabinet assented to the proposal. That the marriages should not be simultaneous was treated by both governments as the very heart and substance of the arrangement, inasmuch as the failure of children by the Queen's marriage would make her sister, or her sister's heir, inheritor of the throne. This was repeatedly acknowledged by Louis Philippe and his Minister, Guizot, in the course of communications which extended over some years. Nevertheless, in 1846, the French Ambassador at Madrid, in conjunction with the Queen's mother, Maria Cristina, succeeded in carrying out a plan by which the conditions laid down at London, and accepted at Paris, were utterly frustrated. Of the Queen's Spanish cousins, there was one, Don Francisco, who was known to be physically unfit for marriage. To this person it was determined by Maria Cristina and the French Ambassador that the young Isabella should be united, her sister being simultaneously married to the Duke of Montpensier."— Fyffe, "Modern Europe," vol. ii., pp. 504, 505, New York, 1877.

When the news of this astounding piece of bad faith was communicated to Louis Philippe, at the first blush he was inclined to repudiate it; but Guizot persuaded him to delay a while. And now Lord Palmerston had returned to office and suggested a Prince of Saxe-Coburg as a consort for the Spanish Queen—in which suggestion Guizot immediately detected a chance to indict England for disloyalty to the House of Bourbon. It may be said that this objection was puerile. But what happened was that on October 10, 1846, the poor Queen and her sister were simultaneously married at Madrid, as per programme of Maria Cristina and the French Ambassador.

Of this performance Fyffe says (p. 506): "Few intrigues

have been more disgraceful than that of the Spanish marriages; none more futile. The course of history mocked its ulterior purposes; its immediate results were wholly to the injury of the House of Orleans. The cordial understanding between France and Great Britain, which had been revived after the differences of 1840, was now finally shattered. Louis Philippe stood convicted before his people of sacrificing a valuable alliance to dynastic ends; his Minister, the austere and sanctimonious Guizot, had to defend himself against charges which would have covered with shame the most hardened man of the world."

All of which goes to affirm the familiar lesson taught by history that, in the long run, intrigue does not pay. As to the charge met in this speech that Great Britain led to the downfall of Louis Philippe, Lord Palmerston's answer is easily adequate.

NOTE 20, p. 211.—Lord Palmerston here deals, categorically and at some length, with England's actions with respect to Switzerland. There had arisen in that country a serious dispute about the expulsion of the Jesuits. The minority, composing the seven Catholic cantons, in order to oppose this expulsion had organized itself into a Sonderbund, or Separate League, an association that the majority contended was in itself contrary to the Acts of Confederation. The friction was so intense between the factions that there seemed no exit but civil war. At this juncture Lord Palmerston wrote to the British Chargé d'Affaires in Switzerland a despatch, the substance of which he was to communicate to the Swiss authorities. In this despatch Lord Palmerston entreats the majority to use moderation against the Catholic cantons, pointing out that a forcible suppression of the Sonderbund will mean civil war, with the strong probability of foreign interference. And that, he says, would end in "essentially impairing the political independence of the country."

The Swiss Minister replied that civil war was deemed inevitable. Then came a proposal from Paris that the five Powers—England, France, Russia, Austria, and Prussia—should issue a joint declaration to put an end to civil war in Switzerland. The speaker shows, point by point, why England could not assent to this proposal. The main reason was that if the Swiss Government refused the conditions, it was to be compelled by force of arms. Coercion England would not agree to. Instead, she proposed that "the Jesuits should be withdrawn, either by an act of the Sonderbund cantons themselves or by a consent to be obtained from the Pope; that the Diet should then declare formally that it had no aggressive intention against the Sonderbund; and the Sonderbund, upon receiving this assurance, should dissolve their Separate League, which was at variance with the Federal Compact; that both parties should then disarm, and that peace should thus be permanently restored."

This fair proposal came to naught, largely through the delays nceessary for coming to an understanding with France, and the reluctance of Switzerland to take advice, however good. She was left to settle her own troubles.

NOTE 21, p. 213.—Here is omitted a minute elucidation of the British Government's share in the tumultuous and confused Italian politics of Lord Palmerston's time. The speaker mentions and defends the following cases of British influence: 1. After vainly trying to dissuade the King of Sardinia from taking up arms against Austria in the troubles of 1846–48, England did not feel obliged forcibly to prevent such action. She considered that, ethically wrong, his action was nevertheless practically forced upon him by the appeal of Lombardy and the overpowering sentiment of his own subjects. She also refused to propose to the people of Lombardy (acting for Austria) a compromise which she felt was less than Lombardy would accept. 2. The Earl of Minto was really

summoned to Rome by the Pope. Although the English law did not then permit the sending of a regular Minister to the Papal Court, the Pope wished to have by him an adviser and *quasi* moral representative of England. In Palmerston's words, he wished that this person "should be entirely in the confidence of Her Majesty's Government; that he should be conversant with the conditions of this country; that he should be a man of rank; and, if possible, a person who could combine with these qualifications diplomatic experience." Palmerston adds: "If a form of words had been devised which should exactly describe the Earl of Minto, it could not have been done more correctly." He was accordingly requested by his Government to include Rome in a trip taken ostensibly for recreation. The Earl found plenty to busy himself with in distracted Italy. While he was at Rome, a civil war began between Sicily and the King of Naples; and the informal representative of England was asked by both parties to effect an arrangement of their differences. While the Earl was in Sicily, however, the news of the fall of Louis Philippe arrived, and after that the hotheaded Sicilians would listen to nothing short of independence. 3. The third case of English interference was the announcement made to the King of Sardinia that if the Duke of Genoa were chosen and actually enthroned as King of Sicily, the English Government would acknowledge him. This promise was based on the theory, then generally accepted, that the King of Naples would be unable to recover Sicily. The contrary happened; and the English proposal, actually made by the Sicilians to the Sardinian Government, was rejected by the latter.

These things being so, the speaker concludes: "I am justified in denying that the policy which we pursued in Italy was that of exciting revolutions, and then abandoning the victims we had deluded. On the contrary, I maintain that we gave advice calculated to prevent revolutions, by reconciling opposite

parties and conflicting views. Ours was a policy of improvement and peace; and therefore the Government deserves not condemnation, but praise."

NOTE 22, p. 214.—The Treaty of Unkiar Skelessi, so called from the palace in which it was signed (July, 1833), by Russia and Turkey, was in many respects an epoch-making document. Its influence was long felt in the world-forces that thrill with every new agitation of the Eastern Question. The causes that led to its signing were the revolt and highly successful campaigns waged against the Sultan by Mehemet Ali, Viceroy of Egypt, and his son Ibrahim. After the fall of Acre, Ibrahim overcame the Turkish army sent against him in Syria, advanced to the north, overcame another army, and had the way clear for a march to the Bosphorus, when the terrified Sultan called in the aid of Russia. At his request a Russian squadron came to Constantinople. It is needless to say that this event was highly unwelcome both to England and France. France threatened to recall her ambassador, Admiral Roussin; but the Sultan only appealed to Russia for troops and more ships. Finally, through the agency of France, a peace was patched up between the Sultan and his Egyptian enemies. Although really relieved of his fears by France, it was to Russia that the Sultan showed the fullest gratitude. The outcome of this was the Treaty of Unkiar Skelessi, which arranged for nothing less than a defensive Russo-Turkish alliance. As for Russia, she had not only signed a treaty, but executed a *coup* of the most important nature. For, by a secret clause, which was soon made public, Turkey agreed to close the Dardanelles to the warships of the world when Russia was at war. And, by the very nature of the clause, Russia, in such a predicament, could use Turkish waters as her own. The gates of the Dardanelles were to be unlocked for her; for all others they continued closed. The Russian advantage is obvious. From this moment the English distrust

of Russia increased daily; and England and France were single in their aim to diminish Russian influence with the Porte. And the feeling thus aroused had for its eventual outlet the Crimean War. But at first French indignation found expression in a marked display of friendly feeling towards the old rebel, Mehemet Ali. The Sultan had died; but against his successor the Egyptian now took up arms again. Some signal victories having been gained by him, the French and English fleets appeared in the Dardanelles, chiefly as a menace against Russia. The latter saw that she would have to abdicate from her singularly advantageous standpoint as the sole protector of Turkey. When negotiations were opened again between the new Sultan and Mehemet, the rebel refused to conclude a peace upon reasonable terms; but France was the only power that remained favorable to his pretensions. Thus, in the settlement of this matter, France and England were brought into decided opposition: the former proposing that to Mehemet and descendants all Syria and Egypt should be given, a yearly tribute to be paid to the Porte; the latter insisting that Mehemet should have Egypt alone, that he should evacuate Northern Syria, and that he should hold Palestine only as life-governor. Lord Palmerston not only held firm to this, but persuaded the other Powers to acquiesce in it. Accordingly, on July 15, 1840, a treaty was signed by the consenting Powers. France, thus left out in the cold, worked herself into a jealous frenzy, which, however, did not lead her into actual hostilities. The Allies now proceeded calmly to crush the bone over which all the dogs of war had been snarling. With expedition Ibrahim was expelled from Syria; and Mehemet, at Alexandria, was compelled to compound with Sir Charles Napier, the English Admiral, by formally submitting to the Sultan; by accepting merely the hereditary possession of Egypt; and by restoring to the Sultan the Turkish fleet, which, by the double-dealing of its captain, had gone over to

him. To this arrangement France at last decided to yield. And now, about the *crux* of the Dardanelles, a *modus vivendi* was arrived at. Russia could not hope to retain the predominant privileges conferred at Unkiar Skelessi. Along with France, she joined in the general understanding of the Powers that no warship of any nation should be allowed to pass these mooted straits—save and only if Turkey were at war. Thus she had to give up her hope of sea-power in the Mediterranean; but at the same time her Euxine shores were safe from all but Turkish attack. And so the flags of Europe to-day float off Constantinople only from the so-called "guardships," the small gunboats which each Power may maintain there as the moral emblem of its fleet.

The direct reference made to Turkish questions in this speech, delivered as events were gathering for the Crimean War, is to the incident of the Hungarian refugees. Following the insurrection in Hungary headed by Kossuth and others, the leaders had fled (1849) to Turkey. Kossuth himself was among these refugees; and his children were taken care of at the British embassy. Austria and Russia directly demanded of the Porte that it should give the refugees up. Strange to say, the Sultan, in a new rôle for an Ottoman Emperor, refused. The public opinion of Western Europe rallied to a position of the Porte so sympathetic, and, as recounted in the text, fleets, English and French, were ordered to the Dardanelles. With these Powers behind the Sultan, there was only one thing for the two Emperors to do: they withdrew their demand. Thus closed another incident in that problem of problems, the Eastern Question.

NOTE 23, p. 233.—The "committing" of a Bill followed its second reading. The House constituted itself as a Committee to consider the details of a Bill: the Speaker temporarily abandoned the Chair to another member; and the Bill was then discussed clause by clause. The House failing to

agree on any point, a Division, or poll of the members, was taken. The majority vote decided. Mr. Sheldon Amos ("Primer of the English Constitution and Government," London, 1877, p. 46) conveniently summarizes the Parliamentary history of a successful Bill:

"1. *Motion* for leave to bring in the Bill. *Order* to bring it in.

"2. *Motion* to have Bill read a *first* time. *Order* that it be read a *first* time.

"3. *Motion* to have Bill read a *second* time. *Order* that it be read a *second* time.

"4. *Motion* to have the Bill committed. *Order* that it be committed.

"5. Committee on details of Bill. Report of Committee.

"6. *Motion* that Bill be read a *third* time. Motion that it be *passed*. Passing of a Bill and sending of it to House of Lords."

Passed by the House of Lords, it then receives the assent of the Crown—the latter now a mere formality.

NOTE 24, p. 235.—How crying the need of reform had been before the great Reform Act of 1832, a glance at the previous state of England will show. It was only in name that England was ruled by a representative government. A majority of the House of Commons were actually the creatures of the peers, or of other personages high in power. Like Church livings, the great lords had seats in the Commons to dispense. Some seats were openly for sale. The value of the two seats of the town of Gatton, which had only seven electors, was commonly estimated at £100,000. At a time when such cities as Leeds, Manchester, and Birmingham were actually without representation in Parliament, the paper borough of Old Sarum, which had no inhabitant at all, had two members accredited to it. Scotland was even worse off. One example of the conditions there will suffice. The county of Bute

contained but one voter, who—irresistibly suggestive of Mr. Gilbert's *Pooh-Bah*—at elections was at once chairman, proposer and seconder of his own return, recorder of the successful vote, and unanimously elected candidate! The criminal absurdity of these matters, so completely patent, long before 1832 had stirred the people and even some of the statesmen of England. Among those who had written or spoken for reform were the great Chatham, and the younger Pitt; so too had felt John Wilkes and Sir James Mackintosh. And then came the French Revolution, which England hailed as the harbinger of her own reforms. When the French had won so swiftly the battle for freedom, what could not the English do? All the world knows how, in the days of the guillotine and the Terror, these English illusions faded. Forthwith, and for nearly a generation of men, England's whole energies were turned from her domestic troubles to crush the child of that Revolution in which she had thought to see the breaking of a new day. Napoleon at last conquered, all the old social unrest swept back. But against the reformers there were arrayed all the conservative elements of a most conservative country,—the classes and professions, and a Government confirmed in tenure by the victories of a Titanic war. It was a long struggle. Again did the example of France, in her expulsion of the Bourbons in 1830, give renewed heart across the Channel. As has so often happened, the people found their successful leader in the class which contained their natural opponents. Not even the prestige of the Duke of Wellington, still the national hero, and head of the anti-reformers, could avail against Earl Grey, the man of the hour, who at last won for his country real reform.

In his "Nineteenth Century" (p. 109, London, 1880), Mr. Mackenzie tells what the Act of 1832 had done: "The Reform Act bestowed the privilege of the franchise in towns upon occupants who paid a rental of ten pounds; in counties, upon

those who paid a rental of forty pounds. In England, fifty-six burghs with a population under two thousand, and returning one hundred and eleven members, were disfranchised; thirty burghs with a population under four thousand, and returning each two members, were reduced to one member. Twenty new burghs received each one member; twenty-two received each two members; the county members were raised from ninety-four to one hundred and fifty-nine. Scotland received an addition of eight burgh members."

A great step had been taken. Briefly, there had been abolished the monopoly of government which the aristocracy and landed gentry had enjoyed; and the middle classes had been admitted to a share of things. But the right of the working people to representation was still ignored. It was not in reason that agitations to secure this representation should not continue. At intervals from the reform year until 1866, the unrest that had not yet been allayed found vent in many measures, of which the more notable are the Bills of 1852–54, introduced by Lord John Russell; that of 1859, a Conservative Bill, introduced by Disraeli; and that of 1860, again proposed by Lord John Russell. All were unsuccessful.

NOTE 25, p. 243.—The House of Commons draws its members from counties, boroughs (or burghs), and the universities. County members are understood to represent the country population and their interests; borough members, the cities and towns. The members from the universities are few. The Reform Act of 1867, passed the year after this speech, thus allotted the representation to the House of Commons (Amos, "Primer," etc., p. 24):

ENGLAND AND WALES.

52 Counties	187	Members.
197 Boroughs	295	"
3 Universities	5	"
	487	"

SCOTLAND.

32 Counties.....	32	Members.
22 Boroughs.....	26	"
4 Universities.....	2	"
	60	"

IRELAND.

32 Counties.....	64	Members.
33 Boroughs.....	39	"
1 University.....	2	"
	105	"

NOTE 26, p. 245.—Lord John Russell.

NOTE 27, p. 265.—Dryden: "The Medal," ll. 119–122.

NOTE 28, p. 268.—That is, the suffrage to be extended to all householders and heads of families. Under the Act of 1867, the suffrage was also extended, in boroughs, to the "resident occupier of lodgings of the yearly value of £10 at least if let unfurnished."

NOTE 29, p. 270.—Lines 807–810 from Dryden's "Absalom and Achitophel," Part I. The first line is loosely quoted. The text is really—

"At once divine and human laws control."

NOTE 30, p. 272.—"We, the three hundred, have sworn the same."

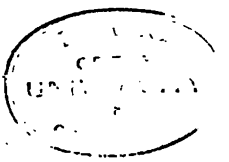
NOTE 31, p. 275.—Another futile attempt of Lord John Russell—this Reform Act of 1860. The county franchise was to be based on so low a rental as £10; the borough franchise went down to £6. Lord Palmerston opposed the Bill; and the country was apathetic. In the House, the measure dragged a serpentine length of dull speechmaking. Nobody —not even the Liberals—took it very seriously; and with the Tories the Bill got to be a joke. Finally, on June 11, 1860, its sponsor withdrew it.

NOTE 32, p. 276.—Shakespeare: "Henry IV.," Part I., Act i., Scene iii., ll. 201–207.

NOTE 33, p. 278.—Samuel Butler: "Hudibras," Part I., Canto 3, ll. 1047–1050.

NOTE 34, p. 278.—Shakespeare: "Henry IV.," Part I., Act v., Scene i. An extract from ll. 128 *et seq.*

NOTE 35, p. 284.—A rough paraphrase of Isabella's speech in "Measure for Measure," Act ii., Scene ii., ll. 83, 84: "To-morrow! O, that 's sudden! Spare him, spare him! He 's not prepared for death," etc.



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